

05-09-2023
Item no.114
Subrata
Bhattacharyya

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR No.2970 of 2022
Mrinal Kanti Hazra
-vs-
The State of West Bengal & Anr.

Mr. Siddhartha Sankar Mandal
Ms. Arunima Das Sharma ...for the petitioner

Mr. S.G. Mukherjee, PP
Mr. Imran Ali
Ms. Debjani Sahu ... for the State

This revisional application was preferred challenging the proceedings being Mangalkote P.S. Case No.161 of 2019 dated July 11, 2019 under sections 4(1)/4(1A)/21 Mines and Minerals Act, 1957.

The petitioner is directed to serve a copy of the revisional application upon Mr Imran Ali, who usually represents the State. His appearance may be regularised by the concerned authority.

The petitioner approached this court immediately on submission of the charge-sheet under section 173 CrPC which was under sections 4(1)/4(1A)/21 of the Mines and Minerals Act, 1957.

Having regard to the fact that the petitioner approached this court immediately on receipt of the charge-sheet and the documents under section 207 CrPC is yet to be received by the petitioner, I am of the opinion that the application under section 482 CrPC preferred is premature. The petitioner shall be at liberty to approach this court after exhausting remedy under section 239 CrPC after receiving the documents under section 207 CrPC.

Needles to state that if such application is filed, learned magistrate would dispose of the same without being influenced by any observations made by this court while dealing with the present application.

Accordingly, CRR No.2970 of 2022 stands disposed of. Pending application, if any, stands also disposed of.

Parties are to act on the server copy of this order duly downloaded from the official website of this court.

Certified copy of this order, if applied for, shall be made available to the parties.

[Tirthankar Ghosh, J]