

22-06-2023
Subha
Item no. 31
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 3013 of 2022

Asif Gani & Ors.
-versus-
The State of West Bengal & Anr.

Mr. Dipankar Mandal
Mr. Abdul Aziz Mondal
....for the petitioners.

Mr. Arijit Ganguly
Mr. Pratick Bose
....for the State.

Learned advocate for the petitioners is directed to serve a copy of the revisional application upon Mr. Arijit Ganguly, learned advocate, who ordinarily appears on behalf of the State. His appointment may be regularized by the concerned Authorities in due course.

Learned advocate for the petitioners submits that it is an admitted position that after talaq as a counter-blast the present case was initiated and the police authorities after conducting a perfunctory investigation has submitted the chargesheet before the jurisdictional court.

Additionally, learned advocate submits that the petitioners are innocent of the charges and in order to wreck the vengeance the present case was registered for investigation at the instance of the opposite party no.2.

I have considered the submissions advanced on behalf of the petitioners and I find that the copies under Section 207 of the Code

of the Criminal Procedure were not enclosed along with the revisional application as the same are yet to be handed over to the present petitioners.

In view of the aforesaid, I grant liberty to the petitioners to take out an application under Section 239 of the Code of Criminal Procedure at the appropriate stage of the proceedings incorporating the points canvassed in the present revisional application. The learned trial court would consider the said application in accordance with law without being influenced by any observations made by this court while disposing of the revisional application.

With the aforesaid observations, the present revisional application being CRR 3013 of 2022 is disposed of.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]