

15-09-2023
Subha
Item no. 13
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 2841 of 2023

Sk. Tohidah Rahaman @ Raju @ Tohidar .
-versus-
State of West Bengal

Mr. Deepak Prahladka
Mr. Sarfaraz Hossain.
Ms. Reshmi Khatun

.....for the petitioner.

Mr. Pinak Mitra
...for the State.

Report submitted by Mr. Mitra, learned advocate appearing for the petitioner be kept with the record reflects there has been complete change of circumstances and the victim is presently not available as she is missing for which Jibantala P. S. Case No. 256 of 2023 dated 05-07-2023 has been registered for investigation. The report was submitted pursuant to the earlier direction passed by this court.

Having regard to the changed circumstances, I am of the opinion that the prayer for Section 311 of the Cr.PC cannot be acceded to in the changed circumstances. The trial court would consider the plight of the accused person regarding the nature of questions, which were intended to be confronted with and after conclusion of evidence will proceed in accordance with law.

Report so submitted by the State be kept with the record.

With the aforesaid observations, the present revisional application being CRR 2841 of 2023 is disposed of.

A copy of the report be handed over by the State to Mr. Prahaladka, learned advocate appearing for the petitioner.

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]