

16.03.2023
Ct. No.34
S/L No.26
KS

C.R.R. 2437 of 2021
Dr. Alip Kumar Saha
-Vs.-
The State of West Bengal & Anr.

Mr. Shatarup Purokayastha
Ms. Jagriti Bhattacharya

.....For the Petitioner

Mr. Saswata Gopal Mukherjee, Ld. P.P.
Mr. Rudradipta Nandy
Mrs. Manisha Sharma

.....For the State

The present revisional application has been preferred challenging the charge-sheet submitted in connection with Burdwan Women Police Station Case No.308/2019 dated 19.08.2019 pending before the learned C.J.M., Kalna, Purba Burdwan.

Learned advocate appearing for the petitioner submits that the same complainant has also filed another case being, Kalna Police Station Case No.720/2020 dated 18.11.2020 under Sections 498A, 323, 34 of the Indian Penal Code. Learned advocate submits that if the First Information Report in respect of both the cases are compared and tallied the facts are contradictory to each other and the complainant in order to settle a personal score implicated the petitioner who is a medical professional in both the cases.

Mr. Nandy, learned advocate appearing for the State produces the Case Diary and draws the attention of the Court to the statement under

Section 164 of the Code of Criminal Procedure as well as the other materials appearing on record.

On an assessment of the materials so appearing in the Case Diary, I am of the view that factual interference regarding the truth or falsity of the statements cannot be gone into at this stage. Petitioner approached this Court at a prematured stage immediately after submission of the charge-sheet without the documents under Section 207 of the Code of Criminal Procedure being supplied to him.

Having considered the stage at which the petitioner approached this Court, I am of the view that the same is premature. Petitioner would be at liberty to approach the learned Trial Court, if so advised, at the stage of consideration of charges.

With the above observations, C.R.R. 2437 of 2021 is disposed of.

Pending applications, if any, are consequently disposed of.

All parties are directed to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

(Tirthankar Ghosh, J.)