

August 21, 2023
AD-45
Ct. 34
SG

IN THE HIGH COURT AT CALCUTTA
CRIMINAL APPELLATE JURISDICTION

CRR 3068 of 2022

In the matter of: Jharna Bagum @ Moslema
Khatun

... petitioner

Sk. Hossain Ali

... for the petitioner.

Mr. S.G. Mukherjee, ld. PP

Mr. Imran Ali

Ms. Debjani Sahui

... for the State.

Petitioner has challenged the proceedings relating to charge-sheet filed in connection with Arambagh PS Case No.349 of 2021 dated 29.08.2021 under Sections 498A/306/34 of IPC.

The investigating officer in the charge-sheet has categorically mentioned the name of the petitioner as one of the accused persons.

Learned advocate for the petitioner submits that the petitioner is sister-in-law who is residing 100 kms away.

Be that as it may, the documents under Section 207 Cr.P.C. have not been enclosed for this court to ascertain regarding the complicity of the present petitioner in connection with the instant case. As the charge-sheet was submitted before the jurisdictional court in the year 2021 and the revisional application is pending before this Court, I direct that the petitioner would be at liberty to canvass

such points at the stage of Sections 227/228 Cr.P.C. before the jurisdictional sessions court.

Needless to state that the sessions court would peruse the materials so far as it relates to the complicity of the present petitioner and arrive at its findings and would not be influenced by the observations made by this Court, which was for the limited period of disposal of the present revisional application.

The trial court would independently consider the application for discharge under Sections 227/228 Cr.P.C.

With the aforesaid observations, CRR 3068 of 2022 is disposed of.

Pending application, if any, is consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent certified copy of this order, if applied for, be supplies to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)

