

August 14, 2023
AD-23
Ct. 34
SG

IN THE HIGH COURT AT CALCUTTA
CRIMINAL APPELLATE JURISDICTION

CRR 2923 of 2023

In the matter of: Sukumar Das @ Madha
and others
... petitioners

Ms. Madhurai Sinha
... for the petitioners.

Mr. Tanmay Kumar Ghosh
Mr. M.F.A. Begg
... for the State.

Petitioners are directed to serve a copy of the revisional application upon Mr. Begg, learned advocate, who ordinarily appears on behalf of the State. Her appointment may be regularised by the concerned authorities.

I have considered the subject matter of challenge relating to the provisions of the Indian Penal Code as well as the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

I have also considered the letter of complaint which was addressed to the Inspector-in-Charge, Jhargram Police Station on the basis of which investigation is commenced.

Learned advocate appearing for the petitioners submits that the petitioners were severely assaulted for which another case being Jhargram Police Station Case No.193/2023 dated 19.07.2023 was registered for investigation.

The present case being Jhargram Police Station Case No.194/2023 dated 19.07.2023 has been also registered for investigation.

Having considered the fact that both the case and counter-case have been registered, it is transparent that an incident had taken place at the relevant point of time. The truth or falsity of the cases cannot be gone into by this Court at this stage when the investigation is in progress.

So far as the contentions of the petitioners are concerned, the present petitioners have been implicated in connection with the instant case to cover up the heinousness of the offences which they have committed. This is an issue of fact which the petitioners would be at liberty to take up with the investigating agency.

This court does not find any reason to interfere at this stage of the case when the investigation has just commenced.

With the aforesaid observations, CRR 2923 of 2023 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 made available to the parties upon compliance of such requisite formalities.

(Tirthankar Ghosh, J.)

