

August 14, 2023
AD-33
Ct. 34
SG

IN THE HIGH COURT AT CALCUTTA
CRIMINAL APPELLATE JURISDICTION

CRR 2933 of 2023

In the matter of: Ramkrishna Tewari @ Ram
Tiwari and others
... petitioners

Mr. Moyukh Mukherjee
Mr. Abhishek Dutta
Ms. Rupa Singh
... for the petitioners.

Mr. Arijit Ganguly
Mr. Kaushik Kundu
... for the State.

Petitioners have challenged the continuance of the proceedings being Kharagpur (T) Police Station Case No.320/23 dated 26.06.2023.

So far as the allegations in the complaint are concerned, I find that the complainant has categorically stated that after she being assaulted, she was taken to Kharagapur Town Hospital where she had to undergo certain stitches over the upper portion of the eye. There are other allegations of assault and outraging her modesty.

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

Having regard to the allegations in the letter of complaint which have been treated to be the FIR of the

instant case, I am of the opinion that a case has been made out for investigation which should be taken to its logical conclusion, in spite of the fact that the plea taken by the learned advocate for the petitioners that another case was lodged being Kharagpur (T) Police Station Case No.316/23 dated 23.06.2023 under Sections 363/365/34 of IPC.

It has been alleging in the said FIR regarding kidnapping of a girl for offering her job.

Be that as it may, both cases have their own merits. Each and every counter case does not mean that the subsequent case which has been registered would be on the basis of a mala fide. It is alleged that when there are physical injuries available in the letter of complaint, the police authorities have no other option except to register a case for a cognizable offence being made out.

Hence, in view of the contentions advanced by the petitioners, I direct that as both the cases are registered before Kharagpur (T) Police Station, the investigating agency under the supervision of the inspector-in-charge would take efforts to unearth the truth and arrive at its findings.

With the aforesaid observations, CRR 2933 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.)