

14.08.2023
Serial no. 44
[G.S.D]

CRR 2944 of 2023

In the matter of : Mukesh Patra

... .. Petitioner

Mr. Malay Bhattacharyya
Ms. Sudipa Sen Gupta

... For the Petitioner

Ms. Puspita Saha

... For the State

Learned Advocate for the petitioner is directed to serve a copy of this revisional application upon Ms. Puspita Saha, Learned Advocate, who ordinarily appears on behalf of the State. Her appearance may be regularised by the concerned authority.

The petitioner has challenged the proceedings relating to Bankura P.S. Case No. 97 of 2022 dated 10.3.2022 under Section 420 and 406 of the IPC.

The record reflects that charge-sheet has already been submitted before the Learned Jurisdictional Court. Charges have also been framed. In fact, out of nine charge-sheeted witnesses, three witnesses have already been examined.

The main thrust of argument of the petitioner is that the charges under Sections 420 and 406 of the IPC have

been framed only on the basis of oral assertions and there are no documentary evidence to support the prosecution's case.

However, for the time being, this Court restricts itself to the document of the Investigating Agency. I find five documents have been relied upon and it would be for the prosecuting agency to rely upon the documents in course of prosecution.

So far as the other issues are concerned, the petitioner would be at liberty to canvass all the points in course of cross-examination and, at the stage of final argument of the case.

With the aforesaid observations, CRR 2944 of 2023 is disposed of.

Pending application, if any, is also disposed of.

Parties to act on a server copy of this order, duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)