

D/L35
20.09.2023
Bpg.

C.R.R.3168 of 2022

In Re: An application under Section 482 of the Code of Criminal Procedure, 1973;

Bhajahari Gorai
Versus
The State of West Bengal and another

Mr. Dipayan Kundu.
...for the petitioner.

Mr. Anwar Hossain
Ms. Manisha Sharma.
...for the State.

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

Learned advocate for the petitioner submits that date has been fixed for consideration of charges before the learned trial court. Petitioner has canvassed certain issues which were detected by him and involve both factual circumstances as well as legal issues.

Having regard to the present stage of the case, I am of the view that there has been change of circumstances when the petitioner approached this Court and the present stage of the proceedings before the learned trial court.

Considering the same, I direct that in case the petitioner prefers an application in the nature of Sections 227/239 of the

Code of Criminal Procedure before the jurisdictional court, the learned jurisdictional court/trial court will consider his application in accordance with law without being influenced by any observations made by this Court while disposing of the present revisional application. Petitioner would be at liberty to canvass the same points which have been advanced in the present revisional application before the learned trial court.

With the aforesaid observations, CRR 3168 of 2022 is disposed of.

Pending applications, if any, are consequently disposed of.

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

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

(Tirthankar Ghosh, J.)