

20-09-2023
Subha
Item no. 43
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 3216 of 2022

Prasenjit Kumar Saha and Anr.
-versus-
State of West Bengal & Anr.

Mr. Ranjan Kali
Mr. Mitul Chakraborty
Mr. Mili Saha
Ms. Payel Nath
.....for the petitioners.

Mr. Sandip Chakraborty
...for the State.

Petitioners are directed to serve a copy of the revisional application upon Mr. Sandip Chakraborty, learned advocate, who ordinarily appears on behalf of the State. His appointment may be regularized by the concerned Authorities in due course.

Mr. Kali, learned advocate appearing on behalf of the petitioners has challenged the chargesheet, which has been submitted in connection with Gangarampur P. S Case No. 45 of 2020. Learned advocate submits that unnecessarily the present petitioners have been implicated and chargesheet has been filed against them on or about 11th March, 2021.

From the record of the case it reflects that although charge-sheet has been submitted but none of the documents under Section 207 of the Code of Criminal Procedure have been supplied to the petitioners or received by the petitioners for demonstrating as to in which manner a chargesheet has been submitted before the jurisdictional court.

Having considered the stage at which the petitioners approached this court, I am of the opinion that the present revisional application is premature. The

petitioners would be at liberty to approach this court after filing the documents under Section 207 of the Code of Criminal Procedure or in the alternative take out an application under Section 239 of the Code of Criminal Procedure before the jurisdictional court. If such an application is taken out by the petitioners, learned Magistrate would consider the same in accordance with law without being influenced by any observations made by this court while disposing of the revisional application.

With the aforesaid observations, the revisional application being CRR 3216 of 2022 is disposed of.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]