

28.08.2023  
Item No.46  
Ct.No.34  
dc.

**IN THE HIGH COURT AT CALCUTTA  
CRIMINAL REVISIONAL JURISDICTION**

**C.R.R. 3165 of 2023**

In the matter of : **Arsalan Parwez**

... Petitioner.

Mr. Sudipto Moitra,  
Mr. Rajdeep Majumder,  
Mr. Moyukh Mukherjee

... For the Petitioner.

Mr. Arijit Ganguly,  
Mr. Koushik Kundu

... For the State.

Learned advocate appearing for the petitioner is directed to serve a copy of this revisional application upon Mr. Arijit Ganguly, learned advocate, who ordinarily appears for the State. His appointment may be regularised by the concerned authorities.

The present revisional application has been preferred for quashing of the proceedings being Shakespeare Sarani Police Station Case No. 159 of 2019 dated 17.08.2019 under Section 201 qualifying Sections 304/308 of the Indian Penal Code corresponding to Sessions Case No. 65 of 2019 pending before learned Additional District and Sessions Judge, 2<sup>nd</sup> Fast Track Court, Calcutta. It has been submitted that an application for discharge has been preferred at the instance of the petitioner which is pending since last one and a half years.

Having regard to the fact that application under Section 227 of the Code of Criminal Procedure is pending for a considerable period of time instead of directly invoking the jurisdiction of this Court under Section 482 of the Code of Criminal Procedure, I direct that in the fitness of the

circumstances, the learned trial court in seisin of the matter would dispose of the application under Section 227 of the Code of Criminal Procedure pending before the said Court on the next date so fixed i.e. 20.09.2023 or within a fortnight thereafter.

The learned trial court in seisin of the matter would dispose of the application under Section 227 of the Code of Criminal Procedure within the time limit stated above without being influenced by any observations made by this Court and in accordance with law. The finding would be independent of any observations made by this Court while disposing of the present revisional application.

With the aforesaid observations, the revisional application being CRR 3165 of 2023 is disposed of.

Pending connected application, if any, is consequently disposed of.

All concerned 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 with all requisite formalities.

**(Tirthankar Ghosh, J.)**