

D/L64
20.09.2023
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C.R.R.3483 of 2022

In Re: An application under Section 401 read with Section 482 of the
Code of Criminal Procedure, 1973;

Subrata Kumar Mondal
Versus
The State of West Bengal and another

Md. Shamimuddin
Mr. Raunak Shaw.
...for the petitioner.

Mr. Tanmoy Kumar Ghosh
Ms. Trina Mitra.
...for the State.

Petitioner is directed to serve a copy of the revisional application upon Ms. Trina Mitra, learned advocate, who ordinarily appears on behalf of the State. Her appointment may be regularised by the concerned authorities.

Petitioner is aggrieved by the fact regarding the manner in which the investigation has been conducted, the materials which have been collected and the sections which have been incorporated to implicate him. There is nothing on record to suggest that the victim suffered any injury or for that purpose any doctor has been cited as a witness in connection with the instant case.

I have considered the submissions advanced by the petitioner and the stage at which the petitioner/accused approached this Court when the charge-sheet has been submitted. Documents under Section 207 of the Code of Criminal Procedure are yet to be supplied. The charge-sheet was submitted as pointed out by the learned advocate for the petitioner on 31st March, 2020.

Having regard to the same, I direct the learned ACJM, Baruipur, South 24 Parganas to take steps for supply of the copies under Section 207 of the Code of Criminal Procedure on the next date so fixed or within a fortnight thereafter. Petitioner would be at liberty to canvass the points advanced in this revisional application by way of taking out an application under Sections 239 of the Code of Criminal Procedure. Learned Magistrate would dispose of the same in accordance with law without being influenced by any observations made by this Court while disposing of the present revisional application.

With the aforesaid observations, CRR 3483 of 2022 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 photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)