

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

CRR 3304 of 2023

Akhil Bandhu Santra & Anr.
Vs.
The State of West Bengal & Anr.

Mr. Uday Sankar Chattopadhyay
Mr. Santanu Maji
Mr. Subhayu Das
Ms. Rajashree Tha
... For the petitioners

Mr. Saswata Gopal Mukherjee, Ld. PP
Mr. Arijit Ganguly
Mr. Koushik Kundu
... For the State

Petitioners have approached this Court challenging the continuance of Gurap Police Station Case No.151 of 2022 dated 13th August, 2022 wherein charge sheet was submitted under Sections 448/323/506/34 of the Indian Penal Code.

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

Learned advocate appearing on behalf of petitioner that the petitioner no.1 himself was injured and was admitted in the hospital for a considerable period of time. It was in their property where trespass took place and yet the police authority submitted charge sheet under Section 448 of the Indian Penal Code among

other sections. So far as the injuries are concerned, learned advocate for the petitioners submitted that there are hardly any injuries and yet only on the basis of abrasion, there was incorporation of Section 323 of the Indian Penal Code.

I have considered the submissions of the learned advocates for the petitioners as well as the documents which have been enclosed in the revisional application and the statement under Section 161 of the Code of Criminal Procedure as well as the other medical documents, prima facie, I find that there was an incident which has taken place and there was a medical report in support of such claim. Having considered the same, I am of the view that it would be a premature approach to interfere with the proceedings, particularly, the charge sheet has been submitted before the jurisdictional Court.

The petitioners are granted liberty to raise such contention at the appropriate stage of the trial.

Learned Trial Court is directed to expedite the progress of the trial as it has been contended that the petitioner no.1 has been successful in an examination wherein his recruitment is simply pending for the pendency of the present case.

Accordingly, the learned Trial Court would see to that the charges are framed on the next date so fixed or within a fortnight thereafter. Learned Trial Court would thereafter give at least two dates in a fortnight so that the trial of the case can be taken to its logical conclusion within a reasonable period of time.

With the aforesaid observations, CRR 3304 of 2023 is disposed of.

Pending application, if any, is 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.)