

08.09.2023
Serial no. 9
[G.S.D]

CRR 3316 of 2023

**In the matter of : Prasenjit Dasgupta @ Netai Dasgupta
@Prosenjit Dasgupta**

... .. Petitioner

Mr. Dr. Arka Chowdhury
Ms. Shreya Chakraborty
Ms. Tuhina Choudhury

... for the petitioner

Mr. S. G. Mukherjee
Mr. Imran Ali
Ms. Debjani Sahu

... For the State

The petitioner is directed to serve a copy of this revisional application upon Ms. Debjani Shau, Learned Advocate, who ordinarily appears on behalf of the State. Her appearance may be regularised by the concerned authority.

The subject-matter of this revisional application relates to a challenge in respect of Uttarpara P.S. Case No. 96 of 2023 dated 15.3.2023 under Sections 451/387/324/354/392/506/34 and Sections 25/27 of the Arms Act.

Learned Advocate for the petitioner submits that no evidence has been brought on record so far as the petitioner is concerned, yet the petitioner is facing rigors of the criminal case.

It has also been submitted that the investigation of the case is in progress.

Having regard to the stage of the case, I am of the opinion that, at this stage, the materials which were collected by the investigating agency, are unknown to the petitioner and, as such, it is not possible for the petitioner to assess regarding his complicity at this stage.

If the petitioner has overwhelming materials to show that he is innocent, the same must be brought to the notice of the investigating agency or any other investigating officer in charge of the investigation.

The petitioner is granted liberty to approach this Court after the report under Section 173 of the Cr.P.C. is available before the jurisdictional Court and after receipt of the documents under Section 207 of the Cr.P.C.

With the above observations, CRR 3316 of 2023 is disposed of.

Pending application, if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court at Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formulates.

(Tirthankar Ghosh, J.)

