

14.09.2023

Item No.49
Ct.No.34
dc.

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

C.R.R. 3432 of 2023

In the matter of : **Roshni Mukherjee @ Roshni Shadab Alam**
and Another ... Petitioners.

Mr. Swapan Kumar Mallick,
Mr. Mazahar Hossain Chowdhury,
Ms. Sudeshna Das ... For the Petitioners.

Mr. Arijit Ganguly,
Mr. Koushik Kundu ... For the State.

Learned advocate appearing for the petitioners 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.

Records reflect that Alipore Police Station Case No. 78 of 2017 was registered on 05.04.2017. The allegations are under Sections 323/114 of the Indian Penal Code. Records reflect that for a number of days, the petitioners are not participating in the process of examination under Section 251 of the Code of Criminal Procedure.

Mr. Mallick, learned advocate appearing for the petitioners took a plea of counterblast in respect of another sessions triable offence at the instance of one of the petitioners.

Having considered the fact that the case was initiated almost six years ago, I am of the opinion that at this belated stage, it would not be fit and proper for interference by this Court when the petitioners themselves have contributed to the delay of the present proceedings. The petitioners would be

at liberty to participate in the cross-examination and confront the complainant regarding the genuinity of the allegations particularly, whether the case is counterblast or a counter-case in respect of the sessions triable offences at the instance of one of the petitioners.

With the aforesaid observations, the revisional application being CRR 3432 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.)