

18-09-2023
Item no.23
Subrata
Bhattacharyya

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR No.3500 of 2023
Shantanu Pal

-vs-

The State of West Bengal & Anr.

Mr. Sujoy Sarkar	
Mr. Rahul Chachan	...for the petitioner
Ms. Baisali Basu	... for the State

The petitioner is directed to cause service of the revisional application upon Ms Baisali Basu, who usually represents the State. Her appearance may be regularised by the concerned authority.

The petitioner has challenged the continuance of Bhadreswar P.S. Case No.421 of 2023 dated August 24, 2023 which has been registered under sections 341/325/379 IPC.

Learned advocate for the petitioner submits that the present case is a counter-blast and at the instance of the officer-in-charge of Bhadreswar police station who is engineering the case with the aid and assistance of the de facto complainant. Learned advocate further submits that there has been non-compliance of the provisions of the dictum of the Hon'ble Supreme Court regarding the provisions for initiation of proceedings under section 156(3) CrPC.

I have considered the same. It appears from the statement of the witnesses that the finger of the complainant was also broken. Talking into account the totality of the circumstances and the fact that the investigation is in progress, I am not inclined to entertain this revisional application at this stage. The petitioner would be at liberty to take up the issues before the superior officer or the investigating agency. Liberty is also granted to approach this court at the appropriate stage.

With the observations as above, CRR No.3500 of 2023 stands disposed of. Pending application, if any, is also disposed of.

Parties are to act on the server copy of this order duly downloaded from the official website of this court.

Certified copy of this order, if applied for, shall be made available to the parties.

[Tirthankar Ghosh, J]