

18-09-2023
Subha
Item no. 34
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 3518 of 2023

Bidisha Bhattacharjee
-versus-
State of West Bengal & Anr.

Mr. Moyukh Mukherjee
Ms. Sagnika Banerjee
.....for the petitioner.

Mr. S. G. Mukherjee, Id. PP
Mr. Saryati Dutta
...for the State.

Petitioners are directed to serve a copy of the revisional application upon Mr. S. G. Mukherji, learned Public Prosecutor, High Court, Calcutta.

The order dated 22nd August, 2023 was dismissed by the learned Sessions Judge, Hooghly wherein an accommodation was sought for because of the conducting lawyer would go from the High Court for conducting the hearing.

It has been submitted by Mr. Mukherjee, learned advocate for the petitioner that he would be appearing before the court and the learned advocate undertakes that on the next date so fixed he would be present before the trial court for hearing of the case as earlier he could not attend due to ground of his illness. It has been further submitted that the next date is fixed in the month of October, 2023.

Having considered the reasons which has been assigned and that the discharge petition was considered on merits, I direct that the order dated 22nd August, 2023 be set aside and an opportunity be given to the learned Advocate for the petitioner to address the learned trial court on the merits of the case.

Having regard to the same, I grant liberty to the petitioners to canvass all

the points before the learned Magistrate at the stage of Section 239 of the Code of Criminal Procedure. If such an application is filed, the learned Magistrate would consider the same in accordance with law without being influenced by any observations made by this court while disposing of the revisional application.

With the aforesaid observations, the revisional application being CRR 3518 of 2023 is disposed of.

Pending applications, if any, are 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]