

28-11-2023
Subha
Item no. 18
Ct no.34

*IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction*

CRR 3718 of 2022

Pratul Kumar Das
-versus-
The State of West Bengal & Ors.

Mr. Aswini Kumar Bera
Mr. Arijit Bera
.....for the petitioner.

Ms. Sayanti Santra
.....for the State.

Petitioner is directed to serve a copy of the revisional application upon Ms. Sayanti Santra, learned advocate who usually appears on behalf of the State. Her appearance may be regularized by the concerned authorities in due course.

I have considered the contentions advanced in the revisional application and I find that on the basis of an application under Section 156(3) of the Code of Criminal Procedure, Mahishadal Police Station Case No. 245 of 2021 was registered for investigation. Subsequently, chargesheet was submitted before the jurisdictional court.

Learned advocate for the petitioner submits that a complaint case was initiated at the instance of the opposite party no.2 as a counter-blast the present case has been initiated with wild allegations and the Investigating Agency on completion of investigation submitted the chargesheet.

It is further contended that all the accused persons in the

complaint case which was initiated by them have been made witnesses in the present case.

Be that as it may, the documents under Section 207 of the Code of Criminal Procedures have not been enclosed along with this revisional application. As such, it is not possible to assess regarding the truth or falsity regarding the version.

Petitioner would be at liberty to canvass all the points after receipt of the documents under Section 207 of the Code of Criminal Procedure before the jurisdictional court by invoking the provisions of Section 239 of the Code of Criminal Procedure if so advised.

The learned court would arrive at its independent finding without being influenced by any observations made by this court.

Accordingly, the revisional application being CRR 3718 of 2022 is disposed of.

Pending applications, if any, are disposed of accordingly.

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]

