

18.09.2023
Item No.83
Ct.No.34
dc.

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

C.R.R. 3567 of 2023

In the matter of : **Azim Ali Mallick & Ors.** ... Petitioners.

Mr. Arunava Ganguly ... For the Petitioners.

Mr. Pravas Bhattacharya,
Mr. Mirza Firoj Ahmed Begg ... For the State.

Learned advocate appearing for the petitioners is directed to serve a copy of this revisional application upon Mr. Mirza Firoj Ahmed Begg, learned advocate, who ordinarily appears for the State. His appointment may be regularised by the concerned authorities.

It reflects that only the FIR has been enclosed with the revisional application and the letter of complaint is enclosed along with the said FIR. The subject-matter of the case relates to Tarakeswar Police Station Case No. 150 of 2023 dated 13.04.2023. The petitioner has challenged, as is revealed from the cause title, the charge-sheet being 96 of 2023 dated 30.04.2023.

Having considered that the charge-sheet or the document under Section 207 of the Code of Criminal Procedure has not been enclosed along with this revisional application, I am of the view that the present revisional application cannot be adjudicated. The petitioners are directed to take up the points and address the issues which have been canvassed in the present revisional application before the learned trial court at the appropriate stage preferably by taking out an application under Section 239 of

the Code of Criminal Procedure. If such an application is preferred, the learned Magistrate will consider the same in accordance with law.

Needless to state that the learned Magistrate would arrive at his independent findings without being influenced by any observations made hereinabove.

With the aforesaid observations, the revisional application being CRR 3567 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.)