

10-10-2023
Subha
Item no. 35
Ct no.34

*IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction*

CRR 3617 of 2023

***Raihanul Islam and ors.
-versus-
The State of West Bengal and Anr.***

Mr. Soumya Banerjee
Ms. Sucheta Banerjee
.....for the petitioners.

Mr. Arijit Ganguly
Mr. Sanjib Kuamr Dan
...for the State.

Petitioners are directed to serve a copy of the revisional application upon Mr. Arijit Ganguly, learned advocate who ordinarily appears on behalf of the State. His appointment may be regularized by the concerned Authorities in due course.

Learned advocate for the petitioners is aggrieved by the manner in which the case was registered after 88 days resulting in Minakhan P. S. Case No. 157 of 2019 dated 18.07.2019 under Sections 306/34 of the Indian Penal Code.

The Investigating Agency on conclusion of investigation submitted chargesheet and also implicated the present petitioners therein. Enclosures to the revisional application reflects that both the FIR and the chargesheet have been enclosed and none of the documents under Section 207 of the Code of Criminal Procedure have been enclosed along with the revisional application.

Record reflects that dates have been fixed for commitment of the case.

Having regard to the stage at which the petitioners approached this court, I direct that the petitioners on receipt of the documents under Section 207 of the Code of Criminal Procedure would agitate the issues before the learned sessions court under Section 227 of the Code of Criminal Procedure, if so advised. The learned trial court would dispose of the said application without being influenced by any observations made by this court while considering the present revisional application.

No interference is made at this stage as none of the documents on which the prosecution has relied upon to prove its case have been enclosed in the present revisional application.

With the aforesaid observations, the present revisional application being CRR 3617 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]

