

18-11-2023
Subha
Item no. 04
Ct no.34

*IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction*

**CRR 3707 of 2023
(In camera)**

***Dr. Deepak Shankar Ray and ors.
-versus-
State of West Bengal & Anr.***

Mrs. Malabika Saha
Ms. Sharmishtha Paul
.....for the petitioners.

Mr. Arijit Ganguly
Mrs. Debjani Sahu
...for the State.

X X X
.....in person.

Learned advocate for the petitioners is present.

The de facto complainant appears in person.

Mr. Arijit Ganguly, learned advocate along with Mrs. Debjani Sahu appears on behalf of the State.

The proceedings are conducted *in camera* as per prayer of the private opposite party/de facto complainant and except the learned advocates of the petitioners and the State, only Court Officer, Recording Officer are present in court.

Accordingly, the application being CRAN 1 of 2023 is allowed.

The present revisional application was preferred challenging the proceedings arising of Chatterjeehat P. S. Case No. 78 of 2023 dated 04-05-2023. The said revisional application was admitted

and directions were passed for adding the private opposite party/de facto complainant and there was direction also to serve upon the State. The revisional application was directed to appear under the heading "Contested Application". In the meantime, the petitioners prayed for interim order in connection with the proceedings being Chatterjeehat P. S. Case. No. 78 of 2023. Today, when the matter has been called, Mr. Ganguly, learned advocate appearing on behalf of the State has produced the case diary and pointed out that on 31st October, 2023, the Investigating Agency on conclusion of investigation has submitted chargesheet before the jurisdictional court.

Learned advocate submits that the Investigating Agency in the chargesheet has relied upon nine witnesses and seven material exhibits.

Having considered the fact that there has been change of circumstances since the petitioners preferred the application for quashing before this court and the investigation having arrived at its conclusion, I am of the view that at this stage it would not be fit and proper to interfere with the proceedings when the learned Magistrate has already taken cognizance of the offence.

However, the petitioners would be at liberty to approach this court after receipt of the documents under Section 207 of the Code of Criminal Procedure or pray for discharge before the appropriate forum under the relevant provisions of Sections 227/228 of the Code of Criminal Procedure.

Accordingly, the present revisional application being CRR

3707 of 2023 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.]