

12.10.2023
Item No.105
Ct.No.34
dc.

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

C.R.R. 3740 of 2023

In the matter of : **Mohammed Taskhand Nasim** ... Petitioner.

Mr. Habibur Rahaman ... For the Petitioner.

Md. Anwar Hossain,
Ms. Manisha Sharma ... For the State.

Learned advocate appearing for the petitioner is directed to serve copy of this revisional application upon Ms. Manisha Sharma, learned advocate, who ordinarily appears for the State. Her appointment may be regularised by the concerned authorities.

Learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated in connection with the instant case as the complainant who set the criminal law into motion was earlier implicated in a criminal case and as a measure of counter-blast, the present case has been initiated. The petitioner approached this Court immediately on submission of the charge-sheet.

I have considered the allegations in the charge-sheet. It reflects that an amount has been received by the present petitioner, although the same is rebutted by the learned advocate for the petitioner that the said sum was received on a different account. Be that as it may, the foundation of the charge-sheet is based on the documents under Section 207 of the Code of Criminal Procedure. Having considered the fact that the petitioner is yet to receive the documents under Section 207 of the Code of Criminal Procedure, I am of the

opinion that the stage at which the petitioner has approached this Court is premature.

The petitioner is granted liberty to take out an application under Section 239 of the Code of Criminal Procedure before the jurisdictional court, if so advised. 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 present revisional application.

With the aforesaid observations, the revisional application being CRR 3740 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.)