

16-11-2023
Subha
Item no. 311
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 3868 of 2023

Abdul Azim Golam Rahi Sultan
-versus-
The State of West Bengal

Ms. Riya Das
.....for the petitioner.

Petitioner has approached this court for quashing of the proceedings arising out of English Bazar Police Station Case No. 17 of 2022 dated 26-01-2022 wherein the police authorities after completion of investigation has submitted chargesheet under Sections 417/376/306/109 of the Indian Penal Code.

Learned advocate for the petitioner submits that the petitioner was initially threatened by the Investigating Officer and subsequently falsely implicated in connection with the instant case. On the death of the victim namely Tanuja Singha Roy, the petitioner has been falsely implicated in connection with the instant case.

I have considered the submissions advanced by the learned advocate for the petitioner and I find that the petitioner approached this court at a stage when the documents under Section 207 of the Code of Criminal Procedure are yet to be supplied to the petitioner.

I have also considered the nature of the allegations and the submissions so made.

Having considered the same, I am of the opinion that without a meticulous consideration of the documents relied upon by the prosecution at this stage it would not be fit and proper to interfere with the prosecution case.

Petitioner is granted liberty to canvass such points or issues at the stage of Section 227/228 of the Code of Criminal Procedure after receipt of the documents under Section 207 of the Code of Criminal Procedure before the appropriate trial court/sessions court.

With the aforesaid observations, the present revisional application being CRR 3868 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.]