

30.06.2023

jb.

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURIDICITION**C.R.R. 4148 of 2022**

In Re: Debasish Pariari

Vs.

State of West Bengal

Re: An application under Section 482 of the Criminal
Procedure Code read with Section 401.

Mr. S. P. Pahari - For the petitioner

Mr. Avishek Sinha - For the State

The petitioner is directed to serve copy of the revisional application upon Mr. Avishek Sinha, learned advocate who ordinarily appears on behalf of the State. His appointment be regularised by the concerned authorities.

The subject matter of the revisional application relates to the challenge of the charge-sheet which has been submitted in connection with Digha Mohona Coastal P.S. Case No. 44/21 dated 18th September, 2021.

I have perused the annexure to the revisional application. I find that documents under Section 207 of the Code of Criminal Procedure on which the prosecution intends to rely to prosecute this case are yet to be supplied to the accused petitioner.

Having regard to the contention advanced by the petitioner that he happens to be the owner and he has been falsely implicated in the instant case are questions of facts

which are to be decided by the trial Court. In view of the circumstance and documents on which the prosecution proposes to rely are yet to be supplied to the petitioner, I direct that the petitioner should file an application under Section 239 of the Code of Criminal Procedure. The learned trial Court will dispose of the said application in accordance with law without being influenced by any observation made by this Court while disposing of the revisional application.

The revisional application being CRR 4148 of 2022 is disposed of.

Pending application, if any stands disposed of.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)