

12.09.2023
Item No.51
gd/ssd

CRR/4194/2022

KAJAL KUMAR NAG AND ANR.
VS
STATE OF WEST BENGAL AND ANR.

Mr. Dipanjan Chatterjee
..for the Petitioners

Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan
..for the State

Mr. Chatterjee, learned advocate appearing for the petitioners has challenged the continuance of Bongaon PS Case No.24 dated 10.01.2021 (GR No.98 of 2021) under Section 498A of the Indian Penal Code.

Learned advocate has submitted that the investigation on being concluded charge-sheet has been submitted before the jurisdictional court.

Petitioners are directed to serve a copy of the revisional application upon Mr. Sanjib Kumar Dan, learned advocate, who ordinarily appears on behalf of the State.

His appearance may be regularized by the concerned authorities.

Learned advocate submits that the petitioners are the husband of the sister-in-law and the sister-in-

law who are residing at a separate location and unconnected with the offence.

Learned advocate submits that the main thrust of the contention has been against the husband by police authorities in the charge-sheet, so submitted.

Be that as it may, the documents under Section 207 of the Code of Criminal Procedure on which the prosecution proposes to prove its case are yet to be supplied to the petitioners.

Having regard to the stage of the proceedings, I am of the opinion that the same is prematured.

Petitioners would be at liberty to approach this court or the jurisdictional court by taking out an application under Section 239 of the Code of Criminal Procedure after receipt of the documents under Section 207 of the Code of Criminal Procedure.

Learned jurisdictional court would dispose of the application under Section 239 of the Code of Criminal Procedure in accordance with law without being influenced by any of the reasons assigned by this court while disposing of the present application.

With the aforesaid observations, CRR 3507 of 2022 is disposed of.

Pending applications, if any, are hereby disposed of.

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

(Tirthankar Ghosh, J.)