

22-11-2023
Subha
Item no. 394
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 4258 of 2023

Nripen Kumar Sikder & Anr.

-versus-

State of West Bengal and Anr.

Mr. Amit Roy
Mr. Goutam Narayan Bhattacharya
.....for the petitioners.

Mrs. Manisha Sharma
.....for the State.

Petitioners are directed to serve a copy of the revisional application upon Mrs. Manisha Sharma, learned advocate who usually appears on behalf of the State. Her appointment may be regularized by the concerned Authorities in due course.

Learned advocate for the petitioners has challenged the continuance of the proceedings being Gaighata P. S. Case No. 830 of 2015 dated 05-09-2015. On completion of investigation, chargesheet was submitted before the learned jurisdictional court. Copies have already been supplied to the accused/petitioners. Some of the statements have been enclosed along with the present revisional application. Prima facie, I find that the present case was instituted in the year 2015. Chargesheet was submitted in the year 2015. The case was subsequently re-numbered.

Having considered the fact that the incident complained of is of the year 2015 and more than 8 years have passed since the initiation of the instant case, at this belated stage I do not intend to

invoke the jurisdiction under Section 482 of the Code of Criminal Procedure in respect of the prayers so advanced.

Petitioners are granted liberty to pray for discharge by taking out an appropriate application under Section 239 of the Code of Criminal Procedure before the jurisdictional court.

With the aforesaid observations, the revisional application being CRR 4258 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]