

D/L399
22.11.2023
Bpg.

C.R.R.4263 of 2023

In Re: An application under Section 397/401 read with Section 482 of the Code of Criminal Procedure, 1973;

Sri Debabrata Chakraborty and others
Versus
State of West Bengal and others

Mr. Chitrapriya Ghosh
Mr. Goutam Acharya
Ms. Priyanka Saha.
...for the petitioners.

Mr. Tanmay Kumar Ghosh.
...for the State.

Petitioners are directed to serve a copy of the revisional application upon Mr. Tanmay Kumar Ghosh, learned advocate, who ordinarily appears on behalf of the State. His appearance may be regularised by the concerned authorities.

Mr. Chitrapriya Ghosh, learned advocate appearing for the petitioners is aggrieved by the fact that in spite of persuasion till date the petitioners are yet to receive copies/documents under Section 207 of the Code of Criminal Procedure.

To that effect, the petitioners applied before the learned Magistrate (although the same was not a regular date). However, the learned Magistrate refused the same and fixed the same on a regular date.

Records reflect that on 22.11.2023 i.e. today, date was fixed before the learned Magistrate. In case the copies have not been handed over to the accused/petitioners today, learned Magistrate within a fortnight would ensure regarding the copies being supplied

to the accused/petitioners. The petitioners would thereafter be at liberty to take out an application under Section 239 of the Code of Criminal Procedure before the learned ACJM, Baruipur or any court wherein the records have been transmitted. The concerned jurisdictional court would consider the prayer for discharge in connection with Sonarpur Police Station Case No.338 of 2022 in accordance with law without being influenced by any observations made by this Court.

With the aforesaid observations, CRR 4263 of 2023 is disposed of.

Pending connected application, if any, is consequently disposed of.

All 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 of all requisite formalities.

(Tirthankar Ghosh, J.)