

24.11.2023
Item No.221
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 4304 of 2023

In the matter of : **Banibrata Mondal** ... Petitioner.

Mr. Parvej Anam ... For the Petitioner.

Mr. Pravas Bhattacharya ... For the State.

Learned advocate appearing for the petitioner is directed to serve copy of this revisional application upon Mr. Pravas Bhattacharya, learned advocate, who ordinarily appears for the State. His appointment may be regularised by the concerned authorities.

The petitioner has challenged the continuance of Murshidabad Police Station Case No. 272 of 2022 dated 16.05.2022 wherein charge-sheet was submitted before the jurisdictional court.

Learned advocate for the petitioner submits that if the facts stated in the FIR and in the charge-sheet are taken as a whole, *prima facie* no case is made out.

I have considered the submissions of the learned advocate appearing for the petitioner and I find that the documents under Section 207 of the Code of Criminal Procedure are yet to be supplied to the petitioner. Having considered the same, I am of the view that the revisional application has been preferred at a premature stage. The petitioner would be at liberty to canvass the points after receipt of the documents under Section 207 of the Code of

Criminal Procedure before the learned jurisdictional court under Section 239 of the Code of Criminal Procedure.

Needless to state that the learned court would arrive at its finding independently without being influenced by any observations made by this Court.

With the aforesaid observations, the revisional application being CRR 4304 of 2023 is disposed of.

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

All concerned 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 with all requisite formalities.

(Tirthankar Ghosh, J.)