

D/L355
28.11.2023
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C.R.R.4347 of 2023

In Re: An application under Section 482 of the Code of Criminal
Procedure, 1973;

Surayya Khanam
Versus
The State of West Bengal and another

Mr. Debasis Kar.
...for the petitioner.

Ms. Manisha Sharma.
...for the State.

Petitioner is directed to serve a copy of the revisional application upon Ms. Manisha Sharma, learned advocate, who ordinarily appears on behalf of the State. Her appearance may be regularised by the concerned authorities.

Learned advocate appearing for the petitioner is aggrieved by the manner in which Bhangar Police Station Case No.218 of 2023 has been initiated. Learned advocate appearing for the petitioner submits that there is dispute and difference between the relations and as a consequence the present case has been initiated at the instance of the opposite party no.2.

I have considered the submissions advanced by the learned advocate appearing for the petitioner and I find that at this stage it is not possible for this Court to enter into the factum of truth or falsity of the allegations or in respect of a mala fide prosecution. The same is to be assessed at the appropriate stage.

It has been informed that the petitioner is already on bail.

If there are materials in possession of the petitioner to show that she has been prejudiced, the same is to be brought to the notice of the Investigating Officer. The Investigating Officer will take the same into consideration before filing any report under Section 173 Cr.P.C.

With the aforesaid observations, CRR 4347 of 2023 is disposed of.

Pending 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.)