

29.11.2023
Serial no. 346
[G.S.D]

CRR 4365 of 2023

In the matter of : M/s. Ma Durga Engineering Product
... .. Petitioner

MR. S. R. CHOWDHURY
MR. ARITRA GHOSH

... FOR THE PETITIONER

Mr. Pravas Bhattacharya

... for the State

The petitioner is directed to serve upon Mr. Pravas Bhattacharya, Id. advocate, who ordinarily appears on behalf of the State. His appearance may be regularised by the concerned authority.

Ld. advocate appearing for the petitioner submits that earlier a case was registered and, to that effect, the provisional bill raised by the CESC Authority was cleared. Subsequently, compounding charges were paid, and as such, the case was dropped.

However, the meter was never changed. After seven years, another case has been instituted and in the said case the main allegation is that the same meter has been tampered after damaging the face glass of the said meter.

Ld. advocate submits that number of photos were taken but those were not relied upon by the authorities and a criminal case had been registered.

Be that as it may, I find from the records of the case that the petitioner approached this court with a copy of the FIR. The Investigating Agency after completion of investigation has already submitted charge-sheet before the jurisdictional court. The documents under section 207 Cr.P.C. are yet to be supplied to the petitioner.

Having regard to the same, I direct that the petitioner would be at liberty to take out an appropriate application before the Id. Special Court, which would be in the nature of Section 227 and 239 of the Cr.P.C. The Id. trial court would consider the same in accordance with law and without being influenced by any of the observations made by this court while disposing of the present revisional application.

With the aforesaid observations, CRR 4365 of 2023 is disposed of.

Pending application, if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court at Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)