

CRR 4386 of 2023

In Re: An application under Sections 482 of the Code of Criminal Procedure, 1973 in connection with Daspur P.S. Case No. 492/2023 dated 29.08.2023 under Sections 341/447/323/325/354(B)/506/34 of the Indian Penal Code.

In the matter of : Swapan Manna & Ors.

...petitioners.

Mr. A.K. Chakraborty, Adv.,
Mr. Snehasis Jana, Adv.,
Mr. Md. Junnat Ul Firdous, Adv.

...for the petitioners.

Ms. Sujata Das, Adv.

...for the State.

The petitioners are directed to serve a copy of the revisional application upon Ms. Sujata Das, learned Advocate who ordinarily appears on behalf of the State. Her appearance may be regularized by the concerned authorities.

Learned Advocate for the petitioners submits that there is a case and counter-case between the parties and the present petitioners have been unnecessarily implicated in connection with the instant case. Learned Advocate also submits that in the counter-case there are injuries which were sustained by the victim.

Be that as it may, I find that the Daspur Police Station Case No. 492/2023 dated 29.08.2023 was registered for investigating offences under Section 341/447/323/325/354(B)/506/34 of the Indian Penal Code.

Having considered the fact that all the offences complained of are bound to be because of injuries being

sustained, I am not inclined to allow this application at this stage.

The petitioners would be at liberty to take up any issues which they are of the opinion would aid in the investigation of the case particularly with regard to arriving at a finding that the petitioners are innocent of the allegations so made therein. The Investigating Officer would consider the same prior to submission of the report under Section 173 of the Code of Criminal Procedure, 1973. No interference is made at this stage.

With the aforesaid observations, the revisional application being CRR 4386 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.)