

01-12-2023
Subha
Item no. 370
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 4465 of 2023

Arati Roy and Anr.
-versus-
State of West Bengal

Ms. Avik Ghatak
Mr. Abhinav Rakshit
.....for the petitioners.

Mr. Mirza Firoz Ahmed Begg
....for the State.

Petitioners are directed to serve a copy of the revisional application upon Mirza Firoz Ahmed Begg, learned advocate who usually appears on behalf of the State. His appearance may be regularized by the concerned authorities in due course.

Petitioners are aggrieved by the order dated 9th October, 2023 wherein the learned court was pleased to dismiss the application under Section 227 of the Code of Criminal Procedure.

Mr. Ghatak, learned advocate for the petitioners submits that there are hardly any materials so far as the present petitioners who happened to be the in-laws of the deceased are concerned.

I have taken into account the statement of the witnesses so relied upon by the prosecution. Chargesheet reflects that the charges so far as the present petitioners are concerned are restricted to Section 498A and Section 34 of the Indian Penal Code.

Having regard to the evidence of some of the inmates, I am of the view that the trial of the present case is to be taken to its logical conclusion.

Having regard to the same, I am not inclined to interfere at this stage. Petitioners would be at liberty to take up the issues in course of cross-examination or at the appropriate stage of the trial.

With the aforesaid observations, the revisional application being CRR 4465 of 2023 is disposed of.

Pending any other applications, if any, are disposed of accordingly.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]