

D/L76
15.06.2023
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C.R.R.4599 of 2022

In Re: An application under Section 482 read with Section 401 of the
Code of Criminal Procedure;

Pradip Kumar Pal and others
Versus
The State of West Bengal and another

Ms. Sucharita Roy.
...for the petitioners.

Mr. Sudip Ghosh,
Mr. Koushik Kundu.
...for the State.

Petitioners are directed to serve a copy of the revisional application upon Mr. Sudip Ghosh, learned advocate, who ordinarily appears on behalf of the State. His appearance may be regularised by the concerned authorities.

The subject matter of the revisional application relates to quashing of the FIR and the charge-sheet arising out of Jadavpur Police Station Case No.264 dated 31.07.2019 under Sections 498A/406/34 of the Indian Penal Code.

Learned advocate for the petitioners submits that the opposite party no.2 had left the matrimonial home three years before, prior to institution of the case.

I have considered the submissions and I find that the documents under Section 207 of the Code of Criminal Procedure are yet to be supplied to the present accused petitioners and there are 6 witnesses which have been relied upon by the prosecution. The petitioners, as such, are granted liberty to file an application in the

nature of Section 239 of the Code of Criminal Procedure before the learned trial court after receipt of the copies under Section 207 of the Code of Criminal Procedure. In case such application is filed on behalf of the petitioners, the learned Magistrate will consider the same in accordance with law without being influence by any of the observations made by this Court.

With the aforesaid observations, CRR 4599 of 2022 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.)