

28.11.2023

Item No.22
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 4626 of 2022

In the matter of : **Smt. Minati Karmakar & Ors.**

... Petitioners.

Mr. Sayantan Adhya

... For the Petitioners.

Mr. Manoranjan Mahata

... For the State.

Learned advocate appearing for the petitioners is directed to serve copy of this revisional application upon Mr. Manoranjan Mahata, learned advocate, who ordinarily appears for the State. His appointment may be regularised by the concerned authorities.

The subject-matter of challenge relates to the charge-sheet which has been submitted in connection with Belghoria Police Station Case No. 509 of 2020 dated 09.10.2020.

Learned advocate for the petitioners submits that the *de facto* complainant by omitting the husband has in a malafide manner implicated rest of the relations. The same is because of private and personal dispute and has got nothing to do with any dowry claim.

Be that as it may, records reflect that none of the documents relating to the orders of the learned Magistrate is available nor the documents under Section 207 of the Code of Criminal Procedure which are the prosecution papers and the foundation of the case have been enclosed. I hold that the revisional application is premature. The petitioners would be at liberty to canvass all the points in the revisional application at the appropriate stage by taking out necessary

application under Section 239 of the Code of Criminal Procedure, if so advised. The learned Magistrate would consider the same in accordance with law without being influenced by any observations made by this Court.

At this stage, this Court is reluctant to draw any inference regarding the contentions so advanced on behalf of the petitioners.

With the aforesaid observations, the revisional application being CRR 4626 of 2022 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.)