

D/L48
15.12.2023
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C.R.R.4788 of 2023

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

Mr. Shumanto Gupta
Versus
The State of West Bengal and another

Mr. Anand Farmania
Mr. P. K. Maity
Ms. Shamrin.
...for the petitioner.

Petitioner has preferred an application challenging the continuance of Nager Bazar Police Station Case No.474 of 2022 dated 14.12.2022 wherein the investigating agency on conclusion of investigation submitted charge-sheet under Sections 498A/506 of the Indian Penal Code. The petitioner is yet to receive the documents under Section 207 of the Code of Criminal Procedure.

Accordingly, I am of the view that the petitioner has approached this Court at a premature stage. The petitioner will be at liberty to take out an application under Section 239 of the Code of Criminal Procedure after receipt of the documents under Section 207 of the Code of Criminal Procedure. Learned Magistrate would consider the discharge application independently without being influenced by any observations made by this Court. The petitioner will thereafter be at liberty to approach this Court, if so advised.

With the aforesaid observations, the revisional application being 4788 of 2023 is disposed of.

Pending connected 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.)