

**10.05.2023**

Item No.27

Ct.No.34

dc.

**C.R.M. 8055 of 2020**

In Re : An Application under Section 439(2) of the Code of Criminal Procedure, 1973.

And

In Re : **Sunita Goyal nee Lamboria** ... Petitioner.

Mr. Rajdeep Majumder,  
Mr. Pritam Roy,  
Mr. Sarthak Mondal ... For the Petitioner.

Mr. Saibal Bapuli,  
Ms. Sayanti Santra ... For the State.

Mr. Ayan Bhattacharjee,  
Ms. Amrita Pandey,  
Ms. Sneha Singh ... For the Opposite Party No. 2.

An application for cancellation of bail was preferred in the year 2020 against the order dated 22.07.2020. More than two and a half years have passed since the order was passed by the learned court. During the pendency of the application, charge-sheet was filed before the jurisdictional court under Sections 498A/406/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

Learned advocate appearing for the petitioner insists on consideration of the medical report.

I have considered the medical report which is present in the case diary produced by the learned advocate appearing for the State.

Mr. Bhattacharjee, learned advocate appears for the opposite party no.2.

Having taken into account the period of time which has lapsed since the order was passed by the learned Magistrate, I am of the view that no interference is called for at this stage particularly, with regard to the amendment of the charges which has been prayed for by the learned advocate appearing for the petitioner. The petitioner would in an appropriate stage of the case, after the evidence of the complainant is over, be at liberty to take out an application for amendment of charges.

With the aforesaid observations, the application being CRM 8055 of 2020 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 with all requisite formalities.

**(Tirthankar Ghosh, J.)**