

10.

September 27, 2023.
GSD

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

**CRR 129 of 2023
With
CRAN 1 of 2023**

In the matter of: Sandip Kumar Goswami & Anr.

.... Petitioners

Mr. Palash Chandra Poddar
Mr. Arijit Ghosh

... for the petitioners

Mr. Aditi Shankar Chakraborty
Mr. Nilay Chakraborty

... for the State

The present revisissonal application was preferred challenging the charge-sheet filed in connection with Kotwali P.S. Case No. 719 of 2022 dated 25.10.2022 under Sections 448/506/34 of the IPC.

Ld. Advocate for the petitioners submits that although he has informed the concerned inspector-in-charge on 17.10.2022, in spite of that charge-sheet has been submitted against the petitioners under the aforesaid sections.

Mr. Chakraborty, Id. Advocate appears for the State.

I have considered the materials which have been enclosed along with the present revisional application. None of the documents on which the prosecution proposes to rely upon (under Section 207 of the Cr.P.C.) have been enclosed along with the present revisional application. The only ground is false implication.

Accordingly, the petitioners are granted liberty to approach the Ld. Magistrate at the stage of Section 239 of the Cr.P.C. by taking out an appropriate application after receipt of the document under Section 207 of the Cr.P.C.

The Id. Magistrate would dispose of such application in accordance with law without being influenced by any of the observations made by this court while dealing with the present revisional application.

No interference is made at this stage.

With the aforesaid observations, CRR 129 of 2023 along with CRAN 1 of 2023 is disposed of.

Pending application, if any, is also disposed of.

Parties shall act on the server copy of this order, duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)