

05-01-2024
Subha
Item no. 13
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 13 of 2024

Pintu Bouri.
-versus-
State of West Bengal and ors.

Ms. Pampa Dey Dhabal
Ms. Sangita Banerjee Chakraborty
.....for the petitioner.

Petitioner is the de facto complainant and aggrieved by the fact that although there are materials before the Investigating Officer to ask for trial under Section 307 of the Indian Penal Code, yet the Investigating Officer in the chargesheet has omitted Section 307 of the Indian Penal Code and filed the same before the jurisdictional court.

Learned advocate for the petitioner was enquired as to whether any application under Section 173(8) of the Code of Criminal Procedure was preferred drawing the attention of the jurisdictional court in this regard to this the learned advocate replied that no such application for further investigation was advanced on behalf of the petitioner.

Having considered the submissions so advanced on behalf of the de facto complainant/petitioner, I am of the view that if an application under Section 173(8) of the Code of Criminal Procedure is filed at the instance of the de facto complainant the learned CJM, Paschim Bardhaman will consider the said application in

accordance with law for the purposes of ensuring that the de facto complainant/petitioner gets assistance in connection with Jamuria P. S. Case No. 154 of 2023 dated 11.04.2023. If such an application under Section 173(8) of the Code of Criminal Procedure is filed within a month from date, the learned CJM, Paschim Bardhaman would dispose of the said application in accordance of law within a period of 60 days from the date of filing of the application.

With the aforesaid observations, the revisional application being CRR 13 of 2024 is disposed of.

Pending applications, if any, are consequently hereby disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]