

25.01.2024
Serial no. 12
[G.S.D]

CRR 40 of 2024

In the matter of : Rajib Bag & Ors.

... .. Petitioners

Mr. Sukumar Majumdar

... .. *For the Petitioners*

Mr. Arijit Ganguly

... *for the State*

The petitioners are directed to serve upon Mr. Arijit Ganguly, Id. advocate, who ordinarily appears on behalf of the State. His appearance may be regularized by the concerned authority.

The petitioners have prayed for quashing of the FIR relating to Singur P.S. Case No. 243 of 2022 dated 19.6.2022 under sections 498A/406 of the IPC and Section 4 of the DP Act.

The records of the case reflect that the investigating agency on conclusion of investigation has submitted charge sheet under the aforesaid sections. However, none of the documents, on which prosecution has proposed to rely, has been enclosed along with the revisional application, although copies have been supplied to the present petitioners.

In view of the aforesaid, I direct that the petitioners would be at liberty to take up all the points canvassed in the revisional application at the stage of Section 239 of the

cr.p.c. by taking out an appropriate application before the Id. Magistrate. The Id. Magistrate would consider the said application in accordance with law without being influenced by any of the observations made by this court.

Needless to state that the consideration of the Id. Magistrate should be independent.

With the aforesaid observations, CRR 40 of 2024 is disposed of.

Pending application, if any, is also disposed of.

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

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)