

29.01.2024
Serial no. 3
[G.S.D]

CRR 56 of 2024

In the matter of : Manash Banerjee

... .. Petitioners

Mr. A. K. Biswas
Mr. Anirudha Mitra
Ms. Piyu Mandal

... .. *For the Petitioners*

The petitioner has challenged the charge-sheet submitted in connection with Golfgreen P.S. Case No. 181 of 2023 dated 19.8.2023.

Ld. advocate for the petitioner submits that the electricity bill reflects that the same is not that of the defacto-complainant and he has forcefully created a criminal case to harass the present petitioner and the others of the apartment/association. The investigating agency unnecessarily without properly investigating the case has submitted the charge-sheet in connection with the said case under sections 341/342/324/430/448/511/114 of the IPC.

I find from the charge-sheet that number of documents have been collected by the investigating agency and at least 12 witnesses have been cited by the prosecution/investigating agency. But, none of the documents under section 207 of the cr.p.c. have been

enclosed along with the revisional application, as such, I am of the view that the revisional application is premature.

The petitioner would be at liberty to take up the issue at the stage of section 239 of the cr.p.c. before the Id. jurisdictional court immediately after the receipt of the documents under section 207 of the cr.p.c.

The Id. Magistrate would independently dispose of such application without being influenced by any of the observations made by this court.

With the aforesaid observations, CRR 56 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.)