

09-02-2024
Subha
Item no. 13
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 437 of 2024

Nirupama @ Payel Biswas(Roy) and ors.
-versus-
The State of West Bengal and anr.

Mr. Ashis Kumar Chowdhury
Mr. Babhru Bahan Bera
....for the petitioners.

Petitioners are aggrieved by the continuance of the investigation in connection with Habra P. S. case No. 1041/23 dated 21.11.2023.

Records reflect that the investigation of the case is still under progress. The main grievance of the petitioners is that the petitioners were at the receiving end for which the case was initiated but after a considerable period of time on the basis of embellished facts the complainant/opposite party no.2 has falsely implicated the present petitioners.

Learned advocate submits that the present case is covered by the settled proposition of law that when a criminal case was initiated with a spite for wrecking vengeance the same should not be allowed to continue.

I have considered the submissions advanced on behalf of the petitioners, however, as the investigation is pending and the petitioners have already been released on bail, at this stage I am not inclined to interfere with the process. Petitioners would be at

liberty to approach this court after the chargesheet is submitted and the documents under Section 207 of the Code of Criminal Procedure are supplied to them.

In case any inconvenience are faced by the petitioners, petitioners would be at liberty to take up the issue with the concerned superior Officers in the rank of SDPO/DSP/Additional SP in charge of Habra Police Station who would address the issues and direct the investigation officer to take steps accordingly.

. With the aforesaid observations, the revisional application being 437 of 2024 is disposed of.

Pending applications, if any, are consequently 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]