

February 21, 2024
AD – 21
Ct. 34

IN THE HIGH COURT AT CALCUTTA
CRIMINAL APPELLATE JURISDICTION

SG

CRR 612 of 2024

In the matter of: Debdut Nandi and another
... petitioners

Mr. Navanil De
Mr. Srinjan Ghosh
Ms. Monami Mukherjee
... for the petitioners.

The petitioners are aggrieved by the order dated 01.12.2023 passed by the Additional Sessions Judge, 6th Court, Paschim Midnapore wherein the application of the petitioners preferred under Section 311 Cr.P.C. was rejected in connection with Sessions Case No.32(06)/2016.

I have considered the contents of the application under Section 311 Cr.P.C. and also the order dated 01.12.2023 passed by the learned Additional Sessions Judge, 6th Court, Paschim Midnapore.

On assessment of the order so passed, I am of the view that there is no illegality in the said order.

The points which were canvassed in the application under Section 311 Cr.P.C. are the issues which are to be addressed at the time of final argument of the case.

Accordingly, the petitioners are granted liberty to take up the difference in evidence/contradiction appearing from the evidence at the stage of final argument of the case.

As the petitioners preferred the application pursuant to the direction passed by this Court, the costs of Rs.5,000/- so imposed by the order dated 01.12.2023 is set aside.

So far as the other part of the order dated 01.12.2023 is concerned, the same is not interfered with.

With the aforesaid observations, CRR 612 of 2024 is disposed of.

Pending application, if any, is consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent certified copy of this order, if applied for, be made available to the parties upon compliance of such requisite formalities.

(Tirthankar Ghosh, J.)

