

14-03-2024
Subha
Item no. 20
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 1027 of 2024

Subrata Sarkar
-versus-
The State of West Bengal and Anr.

Mr. Supratik Sasmal
....for the petitioner.

Learned advocate for the petitioner has challenged the continuation Karimpur PS Case No. 17 of 2022 dated 27-01-2022 under Sections 498A/406/34 IPC along with Ss. ¾ of the D.P Act.

The Investigating Agency on conclusion of investigation in connection with the instant case has already submitted chargesheet.

Learned advocate for the petitioner submits that in view of the commitments made in other proceedings, the continuation of the present proceedings and the chargesheet submitted have become diluted.

I find that the documents under Section 207 of the Code of Criminal Procedure are yet to be supplied to the petitioner and the chargesheet has been filed relying upon 11 witnesses. None of the statement of the witnesses, which were recorded in course of investigation and relied upon for formulation of the report under Section 173 of the Code of Criminal Procedure is enclosed along with this revisional application.

Consequently, I grant liberty to the petitioner to take up the issues at the appropriate stage of the proceedings particularly

during the stage of Section 239 of the Code of Criminal Procedure.

If such an application is taken out, the learned Magistrate would consider the same in accordance with law without being influenced by any observations made by this court.

With the aforesaid observations, the present revisional application being CRR 1027 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]