

28-03-2024
Subha
Item no. 45
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 1253 of 2024

Ashwini Kumar Das
-versus-
State of West Bengal and Ors.

Mr. Arijit Banerjee
Mr. Kalidas Saha
Ms. Mandira Mondal
Ms. Khushi Mallick

....for the petitioner.

Petitioner has challenged the continuance of Manickchak P. S. Case No. 930 of 2023 dated 03-11-2023.

Learned advocate for the petitioner challenges the ingredients related to Sections 420/406 IPC as also the factum relating to the complicity of the present petitioner who has been implicated in connection with the instant case.

Learned advocate submits that there were certificates issued by the concerned nursing institutions and there were communications made also by the victim which stated that they are not interested to pursue with the course so far as the present petitioner is concerned.

Taking into account the nature of contentions which have been advanced and the stage which reflects that the investigation of the case is in progress, the petitioner will be at liberty to hand over all the documents to the Investigating Agency. The Investigating Agency will consider the same prior to submission of the report under Section 173 of the Code of Criminal Procedure.

The nature of the documents so submitted before this court are private and personal in nature and are not of sterling quality that on the face of it the court of law can arrive at a conclusion for termination of the proceedings.

As such, no interference is made by this court at this stage.

Petitioner would be at liberty to approach this court in case he is prejudiced by the outcome of the investigation.

With the aforesaid observations, the revisional application being CRR 1253 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]