

06.03.2024

Item No.44
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 1288 of 2023

In the matter of : **Kavita Arun Mestry** ... Petitioner.

Mr. Rahul Chakraborty,
Mr. Alok Banerjee ... For the Petitioner.

Mr. Pawan Kumar Gupta ... For the Opposite Party No.2.

The present revisional application has been preferred challenging the continuance of Barasat Police Station Case No. 651 of 2021 dated 10.09.2021. This revisional application appeared on 05.12.2023 when the petitioner prayed for filing supplementary affidavit enclosing the charge-sheet and the documents under Section 207 of the Code of Criminal Procedure.

Today when this revisional application is called, learned advocate for the petitioner prays for an accommodation. Having considered the period of pendency of the present revisional application and the documents required to adjudicate the issue relating to maintainability of the case not being placed by way of supplementary affidavit, I am of the opinion that no interference can be made at this stage.

The petitioner would be at liberty to canvass all the points at the stage of Section 239 of the Code of Criminal Procedure before the learned Judicial Magistrate. If such an application is preferred, the learned Judicial Magistrate will dispose of the application in accordance with law independently without being influenced by any observations made by this Court.

With the aforesaid observations, the revisional application being CRR 1288 of 2023 is disposed of.

Pending connected application, if any, is consequently disposed of.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)