

Court No. 34

22.05.2024

(AD 80)

(S. Banerjee)

CRR 1469 of 2023

Sudhangsu Bikash Saha & Ors.

Vs.

State of West Bengal & Anr.

Mr. Abhijit Sarkar

Mr. Raja Biswas

... for the petitioners

The petitioners have prayed for quashing of the proceedings arising out of Nagerbazar Police Station Case No. 49 of 2023, dated 08.02.2023, wherein the investigating authority after conclusion of investigation, submitted charge-sheet.

The case is pending before the learned Additional Chief Judicial Magistrate, Barrackpore.

I have considered the documents under Section 207 Cr.P.C. and also the report under Section 173 Cr.P.C. and I find that a doctor has been cited as a witness. I have checked the medical report where there are certain injuries which are being reflected.

Having considered the materials appearing and relied upon by the prosecution, I am not inclined to interfere with the further continuance of the proceedings.

However, petitioners are granted liberty to canvas all the issues at the stage of 239 Cr.P.C. before the learned trial court.

Needless to state that this court has only decided the maintainability of the revisional application, per se the stage of the case. The learned Magistrate would be at liberty to independently apply his mind.

With the aforesaid observations CRR 1469 of 2023 is disposed of.

All concerned are to act in terms of a copy of this order duly downloaded from the official website of this court.

(Tirthankar Ghosh, J.)