

11-03-2024
Subha
Item no.114
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 1569 of 2023

Biswanath Bala
-versus-
The State of West Bengal & Anr.

Mr. Subrata Karmakar
Mr. Abdus Salam
.....for the petitioner.

Petitioner has challenged the FIR and the chargesheet. These are the only two documents available in the revisional application. Even the order of cognizance taken by the learned Magistrate has not been enclosed.

Records reflect that the investigating Agency relied upon 7 witnesses in order to prove its case. None of the documents under Section 207 of the Code of Criminal Procedure has been enclosed. As such, I hold that the revisional application at this stage is premature. Petitioner would be at liberty to take out an application under Section 239 Cr.PC, after receipt of the documents under Section 207 of the Code of Criminal Procedure. Learned Magistrate will consider the same in accordance with law without being influenced by any observations made by this court while disposing of the revisional application.

With the above observations, the present revisional application being CRR 1569 of 2023 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]