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IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

CRR 1661 of 2024
(Assigned)

Dalim Pandey
Versus
The Central Bureau of Investigation, Special Crime
Branch, Kolkata

Mr. Arindam Jana. For the petitioner.

Mr. Anirban Mitra,
Mr. Amajit De. ... for the C. B. I.

1. Affidavit of service is filed and taken on record.
2. Both the learned counsel appearing on behalf of the parties to this revisional application are present.
3. This revisional application has been filed assailing an order dated 09.04.2024 in connection with Sessions Trial Case No. XIV/August/2011 passed by the learned Additional Sessions Judge, Paschim Medinipur, wherein learned Judge refused the prayer for supplying copies of statement under Section 161 of the Code of Criminal Procedure recorded by the Investigating Officer (PW-79) at the initial stage of investigation on the ground of the submission of the learned P.P. that all the documents were already supplied to the petitioner.
4. Learned counsel appearing on behalf of the petitioner

referred to the evidence of PW-79, who testified that he recorded statement under Section 161 of the Code of Criminal Procedure. Learned counsel appearing on behalf of the petitioner has further submitted by referring to the application dated 20th March, 2024 that on behalf of the petitioner the application was filed with a prayer for supplying copies of the statement under Section 161 of the Code of Criminal Procedure in respect of Tanmoy Roy, Prodip Roy and Subhasish Dandapat recorded by S.I Sankar Chandra Dana (PW-79), initial investigating officer.

5. Learned counsel appearing on behalf of the C.B.I. has submitted that learned P.P. appearing on behalf of the C.B.I could not find any such statements in his custody.
6. It is axiomatic that petitioner is entitled to get copies of those documents. But considering the submission advanced on behalf of the learned P.P. before the Trial Court, I find that learned P.P. submitted about document with regard to investigation by the C.B.I. though petitioner prayed for supplying the copies of the statement recorded under Section 161 of the Code of Criminal Procedure by the prosecution witness No. 79 who was the initial I.O attached to Lalgarrh Police Station.
7. In this trying situation, prosecution is directed to make an endeavour to find those statements out of the

case record and supply the copies of those three statements if it is available in the case record.

8. With this observation and direction, the revisional application stands disposed of.
9. Connected applications, if any, also stand disposed of.
10. Let a copy of this order be communicated to the learned Trial Court.
11. All parties shall act on the server copies of this order duly downloaded from the official website of this Court
12. Urgent photostat certified copy of the order, if applied for, be given to the parties on usual undertakings.

(Bibhas Ranjan De, J.)