

25.01.2024
item No.152
Rakib (PA)
ct. no. 34

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

CRR 1755 of 2023

**Taslim Arif Mallick @ Saheb Mallik & Anr.
Vs
The State of West Bengal & Anr.**

In Re: An Application under Section 482 read with Section 401 of the Code of Criminal Procedure, 1973;

Mr. Arindam Jana,
Mr. Soumajit Chatterjee,
Mr. Partha Pratim Sinha,

.... For the Petitioners.

Mr. Debasish Roy, Id. PP,
Mr. Arijit Ganguly.

.... For the State.

Learned Public Prosecutor and Mr. Ganguly, learned Advocate appears on behalf of the State. Case Diary has been produced.

Mr. Jana, learned Advocate appearing on behalf of the petitioners submits that they have been falsely implicated in this case, although they are cousins and have no relationship with the alleged offences. In order to elaborate his submission learned Advocate submits they the two majors decided to marry and the family of the girl tried to implicate as many relations as possible in order to apply pressure for succumbing to get back their daughter.

Learned Advocate for the State has drawn the attention of this Court to the Statement under Section 164 of the Code of Criminal Procedure of the alleged victim lady namely, Ankita Rong, the recovery memo and other statements. Although the

submissions on behalf of the petitioners may have some force but the same be prematured having regard to the totality of the circumstances which can lead this Court to take a decision for termination of the proceedings.

It would be fit and proper in the circumstances of this case to allow the charge to be framed and the evidences of the alleged victim namely, Ankita Rong to be recorded as PW1. Petitioners and/or the other accused would be at liberty to approach this Court after the evidence of the victim is recorded.

The learned Trial Court would supply the copies to the accused persons and fix date for consideration/framing of charges and conclude the same process by June, 2024. The Evidence of the victim be over by 31st July, 2024. The petitioners, if so advised would act accordingly.

With the aforesaid observations CRR 1755 of 2023 is disposed.

Pending application, if any, is consequently disposed of.

Case Diary be returned to the learned Advocate appearing for the State.

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

(Tirthankar Ghosh, J.)