

25-09-2024
Item No.119
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
Appellate Side

WPA No.19666 of 2024
Surendra Ray

-vs-

The State of West Bengal & Ors.

Mr. Kalyan Kumar Chakraborty
Mr. Vivek Kumar Pandey
Mr. Gopal Krishan Sarkar ...for the petitioner

Mr. Rajarshi Basu
Mr. S.T. Mina ...for the State

The petitioner draws the attention of the court to the evidence of PW1, namely Pushpa Shaw, and prays for quashing of the proceedings on the grounds that the witness deposed in court that the petitioner is not the same person who had assaulted.

The witness also deposed before the court that the other person was sitting within the compound of Barrackpore court.

In view of the evidence deposed, the petitioner would be at liberty to file an application for discharge.

Learned trial court will dispose of the said application, once it is filed, in accordance with law.

If the petitioner is aggrieved, he would be at liberty to approach the higher forum as provided under the provisions of the Code of Criminal Procedure, 1973/BNSS, 2023.

With the above observations, WPA No.19666 of

2024 stands disposed of.

All parties are to act on the server copy of this order duly downloaded from the official website of this court.

Certified copy of this order, if applied for, shall be made available to the parties.

[Tirthankar Ghosh, J]