

13-03-2024
Item no.78
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR No.3454 of 2023
Sri Subodh Bhunia
-vs-
The State of West Bengal & Anr.

Mr. Gourab Ghosh

...for the petitioner

The petitioner in this section 482 CrPC read with section 401 CrPC application has prayed for quashing of the charge-sheet arising out of Bhagwanpur P.S. Case No.364 of 2022 dated September 24, 2022 under sections 447/323/307/427/429/506/34 IPC.

Learned advocate for the petitioner submits that the present petitioner has been falsely implicated pursuant to the earlier case registered as Bhagwanpur P.S. Case No.322 dated August 20, 2022. He further submits that the petitioner was hospitalised and as such the case has been falsely registered. According to the petitioner, the police authorities without proper investigation has submitted the charge-sheet in connection with the instant case.

From the enclosures to the revisional application, I do not find any document under section 207 CrPC so far as the report under section 173 CrPC in connection with Bhagwanpur P.S. Case No.364 of 2022 is concerned. I find that Dr. Udit Roy has been cited as a witness.

Having regard to the stage at which the petitioner approached this court, I am of the view that the revisional application is premature. The petitioner would be at liberty to canvass his issues at the stage of consideration of charges by taking out an appropriate application under section 227 CrPC. The learned trial court would consider the same in accordance with law without being swayed by any observations made by this court.

With the above observations, CRR No.3454 of 2023 stands disposed of.

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]