

13.02.2024
Serial no. 5
[G.S.D]

CRR 4149 of 2022

In the matter of : Chandan Kumar Maity

... .. Petitioner

Ms. Diksha Ghosh

... for the Petitioner

The petitioner has challenged the continuation of the charge-sheet filed in connection with Gangarampur P.S. 252 of 2021 dated 7.07.2021, wherein the investigating agency on conclusion of investigation submitted charge sheet under section 498A/323/506 of the IPC.

Ld. advocate appearing for the petitioner has taken this court through the statement under section 161 of the cr.p.c. as also the declaration which includes the Office Register as well as a letter, which was received.

I have considered the statements under section 161 of the cr.p.c. which is the foundation of the report under section 173 of the cr.p.c.

Having considered the same and the nature of the documents relied upon by the petitioner, I am of the view that the same do not satisfy the test of sterling quality.

However, the records reflect that the charges are yet to be framed before the Id. jurisdictional court.

Accordingly, the petitioner would be at liberty to take up the issues canvassed in the present revisional application at the stage of consideration of the charges before the Id. trial court. The Id. trial court would independently consider the prayer of the petitioner without being influenced by any of the observations made by this court.

With the aforesaid observations, CRR 4149 of 2022 is disposed of.

Pending application, if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)