

D/L128
21.03.2024
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C.R.R.4935 of 2023

In Re: An application under Section 482 of the Code of Criminal Procedure;

Kamal Ahmed and another
Versus
Zeba Sulana

Mr. Krishna Deo Das
Mr. Ranjit Kumar Roy.
...for the petitioners.

The present proceedings being Santragachi Police Station Case No.59 of 2019 dated 03.08.2019 was challenged before this Court. The stage at which the proceedings challenged, were immediately after the charge-sheet was submitted. None of the documents under Section 207 of the Code of Criminal Procedure were made available to the petitioners.

Having regard to the stage at which the petitioners approached this Court, I am of the view that the same is premature. Petitioners are granted liberty to take out an application under Section 239 of the Code of Criminal Procedure, if so advised after the documents under Section 207 of the Code of Criminal Procedure is received by them. The learned trial court would consider the said application for discharge in accordance with law independently without being influenced by any observations made by this Court.

With the aforesaid observations, CRR 4935 of 2023 is disposed of.

Pending connected application, if any, is consequently disposed of.

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

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

(Tirthankar Ghosh, J.)