

Court No.
28
Item 1
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C.R.R. 59 of 2025

15.05.
2025

In the matter of: **Arnab Pramanick**

Mr. Arnab Pramanick

...petitioner appearing in person

Mr. Debasish Roy, Ld. PP

Mr. Arijit Ganguly

Md. Yaser A. Ismail

...for the State

Affidavit of service filed on behalf of the petitioner appearing in person is taken on record.

Despite service, no one appears on behalf of the de facto complainant.

Report filed on behalf of the State is also taken on record.

It appears that statement of the de facto complainant namely Amit Pramanik was recorded and he stated categorically that he did not want to settle the matter.

The petitioner appearing in person submits as follows. There is a huge difference between the FIR and the charge sheet. In his deposition before the learned trial Court, the de facto complainant stated that he did not have any allegation against the accused person who were his own brothers. Trial is going on. However, it is amply clear that no prima facie case is made out against the

petitioner. Any further continuation of the impugned proceeding shall be an abuse of the process of Court. Reliance is placed on page 6 of the supplementary affidavit. It is submitted that the police authorities had given a clean chit to the petitioner in this matter.

Learned Public Prosecutor for the State opposes the prayer and submits as follows. There are statements of witnesses present in the case diary. Only the de facto complainant saying otherwise on a day during trial may not be clean chit for getting an exoneration, especially in a proceeding before this Court, especially when the trial is pending. Page 6 of the supplementary affidavit only contains a recital of the petitioner's averments in the writ petition. It does not give any benefit to the petitioner in respect of the present case.

It appears that there are statements of witnesses contained in the case diary which implicate the petitioner. Furthermore, there is an injury report.

Therefore, it appears that a prima facie case is made out against the petitioner as would be evident from a plain reading of the First Information Report, the charge sheet and the materials available in the case diary. Trial is going on.

Therefore, I do not find any reason to interfere with the proceeding at this stage.

Accordingly, the revisional application is dismissed,

however, without any order even as to costs.

Nonetheless, the petitioner shall be at liberty to take up all the points available to him including the ones taken up herein before the learned trial Court.

The learned trial Court is requested to conclude the proceeding in accordance with law and as expeditiously as possible.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)