

07.3.2025  
Sl. 23  
Samarpita  
Court No.40

**IN THE HIGH COURT AT CALCUTTA  
Criminal Revisional Jurisdiction  
Appellate Side**

**CRR 4170 of 2024**

**Kashinath Kora  
Vs.  
The State of West Bengal & Ors**

Mr. Sujan Chatterjee,  
Mr. Rohan Bavishi,  
Ms. Shreyausi Sarkar

.... For the petitioner

Ms. Sreyashee Biswas,  
Mr. Atulya Sinha

... for the State

The instant application is filed against the order dated 13.9.2024 passed by the Additional Sessions Judge, Fast Track, 1<sup>st</sup> Court, Purba Bardhaman whereby the application filed under Section 311 of the Criminal Procedure Code, by the prosecution was rejected.

On perusal of the order, it appears that the learned Trial Court did not consider the relevancy of the evidence of the person to be called for. The Trial Court should not consider or prejudge relevancy, particularly when the person sought to be examined was the scribe of the written complaint. The learned Trial Court should consider the application by applying the proper principle of law and shall reconsider, the application.

The learned Trial Court shall rehear and reconsider the application under Section 311 of the Criminal Procedure Code, by the

prosecution. Those applications should be considered in perspective of applicable law.

Accordingly, the impugned order dated 13.9.2024 is set-aside for reconsidering.

Accordingly, the instant criminal revision being **CRR 4170 of 2024** stands disposed of.

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

Urgent certified copy of this order, if applied for, be given to the parties, upon compliance of all necessary formalities.

**(Sugato Majumdar, J.)**