

07.01.2025

Item No.3

Ct.No.2

kausik

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 256 of 2024

**Krishna Bahadur Rai & Ors.
Vs.
The State of West Bengal & Anr.**

Mr. Pratap Khati
Ms. Sharon C. Lepcha

... For the Petitioners.

Mr. Aditi Shankar Chakraborty, APP
Dr. Arjun Chowdhury

...For the State.

Petitioners have challenged the continuance of the proceedings relating to Gorubathan PS Case No. 15/2024 dated 29.05.2024 under the relevant sections of the Indian Penal Code as well as the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Petitioners approached this court at a stage when the investigation of the case was under progress.

Learned advocate for the state has submitted a report which reflects that during the pendency of the revisional application the investigating agency has already arrived at a conclusion and submitted their report as a non-cognizable offence under section 506/34 of the Indian Penal Code before the jurisdictional court.

Report also reflects that the next date has been fixed before the learned trial court on 11.02.2025.

Having regard to the grievance which has been addressed in the revisional application and the findings of the investigating agency in respect of the materials surfacing after investigation, I find that the complexion of the case has completely changed.

Accordingly, petitioners would take up all the issues before the learned Magistrate at the appropriate stage of the proceedings.

With the aforesaid observations CRR 256 of 2024 is disposed of.

Learned Magistrate will independently consider the merits in respect of continuation of the proceedings without being influenced by any observations made by this court.

Report so submitted be kept with the record.

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

(Tirthankar Ghosh, J.)