

02.01.2025

Item No.18

Ct.No.2

kausik

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

C.R.R. 411 of 2024

**Sujata Chakraborty & Ors.
Vs.
The State of West Bengal & Anr.**

Mr. Sudip Guha
Mr. Sandip Guha Roy
Mr. Ananda Paul

... For the Petitioner.

Mr. Ujjwal Luksom
Ms. Namrata Das

...For the State.

Petitioners have challenged the continuance of the proceedings arising out of Siliguri PS Case No. 509 of 2024 dated 29.05.2024 where the investigating officers on completion of investigation has submitted charge sheet under section 498 A of the Indian Penal Code.

I find from the records of the case that the petitioners approached this court immediately on submission of the charge sheet when the documents under section 207 of the Code of Criminal Procedure were not served or made available to the petitioners.

As it is not possible to appreciate the materials on which the charge sheet has been submitted by the investigating authorities without an analysis of the statement of the witnesses or other materials collected by the

investigating agency, I am of the view that the petitioner approached this court at a prematured stage.

Accordingly petitioners are directed to prefer an appropriate application under section 239 of the Code of Criminal Procedure before the jurisdictional magistrate after receipt of the copies under section 207 of the Code of Criminal Procedure.

Learned magistrate would independently consider the application by assessing the materials so collected by the investigating agency.

Petitioners would also be at liberty to take up all the points in the revisional application under section 239 of the Code of Criminal Procedure.

If the petitioners are dissatisfied with the outcome of the application before the learned magistrate, petitioners would be at liberty to approach this court afresh.

With the aforesaid observations CRR 411 of 2024 is disposed of.

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

(Tirthankar Ghosh, J.)