

08.01.2025

Item No.5

Ct.No.2

kausik

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

C.R.R. 472 of 2024

**Suresh Thapa
Vs.
The State of West Bengal**

Mr. Rajesh Kr. Sharma

... For the Petitioner.

Mr. Nilay Chakraborty, APP

Mr. Sourav Ganguly

...For the State.

Certified copy of the application under section 311 of the Code of Criminal Procedure filed at the instance of the petitioner be kept with the record.

The four paragraph petition only prays for recall and re-examination of witness no. 3 for just decision of the case.

The witness was earlier examined as such it was incumbent upon the petitioner to state the grounds on which or the questions or the issues on which the witness was supposed to be recalled which the petitioner could not ask, confront or contradict in course of the evidence of the said witness.

Having considered that the present case is towards the fag end and the examination under section 313 of the Cr.P.C. is over, I am of the view that the present application under section 311 of the Code of Criminal Procedure was filed with a ploy to delay the proceedings.

Accordingly the revisional application being CRR 472 of 2024 is dismissed.

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

(Tirthankar Ghosh, J.)