

18.08.2025
SL. 2
Court No. 3
Sourav

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Criminal Revisional Jurisdiction**

**C.R.R. 320 of 2025
With
C.R.A.N. 2 of 2025**

In re: An application Under Section 442 read with Section 528 of the Bharatiya Nagrik Suraksha Sanhita, 2023 corresponding to Section 401 read with Section 482 of the Cr.P.C., 1973.

And

In the matter of: **The State of West Bengal**

... petitioner.

Mr. Joyjit Choudhury, Ld. AAG
Mr. Ujjwal Luksom
Mr. Subhashis Mishra

... for the State/petitioner.

Mr. Avrojoyti Das
Mr. Rajdeep Das

... for the opposite party no. 1.

In Re: CRAN 2 of 2025

1. This is an application for correction of the impugned order number as well as the date as have been wrongly recorded in the order dated 03.07.2025 and 31.07.2025 in the instant criminal revision case as passed by a co-ordinate Bench of this Court.
2. At the time of hearing, Mr. Choudhury, learned Additional Advocate General at the very outset draws attention of this Court to the last paragraph of the order dated 03.07.2025 vis-à-vis the certified copy of the impugned order.
3. It is submitted by Mr. Choudhury that from the last paragraph of the order dated 03.07.2025, it would reveal that probably due to typographical error, the date of the

impugned order has been typed as '23rd February, 2024' instead of '21st June, 2025'.

4. It is further submitted by Mr. Choudhury that similar such mistake cropped up in the order dated 31.07.2025.
5. It is thus submitted by Mr. Choudhury that an appropriate order may be passed for correction of the date as mentioned in the interlocutory application being CRAN 2 of 2025.
6. Such prayer is, however, opposed by Mr. Das, learned advocate appearing on behalf of the opposite party no. 1 citing a copy of the notice dated 18.05.2007 as published in the website of the High Court at Calcutta. It is submitted by Mr. Das that by an administrative order, it has been intimated to all concern that an application for modification of the order will be taken up by the self-same judge unless he/she is not available either due to retirement or transfer.
7. It is thus submitted by Mr. Das that the co-ordinate Bench which passed the order is competent to entertain the instant application for correction as prayed for.
8. On careful consideration of the entire materials as placed before this Court and after hearing the learned advocates for the contending parties, it appears to this Court that the typographical error as cropped up in the order dated 03.07.2025 and 31.07.2025 as rightly pointed out by Mr. Choudhury is absolutely *bona fide* and in the event, the prayer is allowed, the same will not touch the merit of the instant revisional application.

9. This Court finds no merit in the submission of Mr. Das inasmuch as in the Circuit Bench when a co-ordinate Bench passed an order, the other co-ordinate Bench having determination available in the next Circuit practically steps into his/her shoes.
10. Such being the position, this Court finds no predicament in allowing the prayer as made in CRAN 2 of 2025.
11. It is thus ordered that in the last paragraph of the order dated 03.07.2025 the following be deleted: '23rd February, 2024' and in its place, the following be added:

'21st June, 2025'.
12. Similarly, in the 2nd line of the paragraph no. 5 of the order dated 31.07.2025 as passed in the instant revisional application the words and figures '23rd February, 2024' be deleted and in its place the following be added:

'21st June, 2025'.
13. Department is directed to carry out necessary corrections in the aforementioned two orders dated 03.07.2025 and 31.07.2025.
14. Let this order be treated as part of the orders dated 03.07.2025 and 31.07.2025.
15. With the aforementioned observations, the interlocutory application being **CRAN 2 of 2025** is disposed of.

In Re: CRR 320 of 2025

1. On behalf of the opposite party no. 1, an affidavit-in-opposition is filed after serving a copy of the same to the

learned advocate on record for the revisionist. Let the same be taken on record.

2. As prayed for, liberty is given to the learned advocate for the revisionist/State to file affidavit-in-reply, if there be any, within two weeks hence after serving an advance copy of the same to the learned advocate on record for the opposite party no. 1.
3. Interim order as passed earlier is extended till the last day of December, 2025 or till further order whichever is earlier.
4. Liberty to mention.

(Partha Sarathi Sen, J.)