

27.07.2021

Item No.4
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 180 of 2012
(Via Video Conference)

Debjit Chatterjee & Ors.
versus
The State of West Bengal

In Re: An Application under Section 482 of the Code of Criminal Procedure.

Mr. Swapan Banerjee,
Mr. Suman De ... For the State.

The present revisional application was preferred challenging the charge-sheet which was filed in connection with Gazole P.S. Case No. 475/11 dated 21.11.2011 under Sections 498A/497/34 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

The main thrust of contentions of the petitioners before this Court is that the instant police station case, which was registered, was second FIR and as such, interference is called for.

I have perused the letter of complaint which is the genesis of the present FIR and I find that the first FIR was in respect of a different period after which there was a compromise and the *de facto* complainant/wife returned back to her matrimonial home. The instant case was of subsequent torture which was inflicted pursuant to the return of the *de facto* complainant at her matrimonial home. As such, the present FIR cannot be considered to be second FIR. There is

no illegality in the registration of the FIR and the subsequent charge-sheet which has been filed before the learned Magistrate.

In view of the aforesaid, no interference is called for. Accordingly, the revisional application being CRR 180 of 2012 is dismissed.

Interim order, if any, is hereby vacated.

All pending applications, if any, are consequently disposed of.

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

(Tirthankar Ghosh, J.)