

18.06.2021

Sl. No. 06

Srimanta

Ct. No. – 42

D/L

CRR/179/2018

(Via Video Conference)

In Re : An application under Section 482 of the Code of Criminal Procedure, 1973.

In the matter of : Smt. Sandhya Banerjee & Ors.

... petitioners.

Mr. Saswata Gopal Mukherjee, Ld. P.P.,

Mr. Saryati Datta, Adv.

...for the State.

This is an application under Section 482 of the Code of Criminal Procedure filed by the accused/petitioners praying for quashing of complaint being C.R. No. 226 of 2017 under Sections 323/342/426/34 of the Indian Penal Code instituted against them.

It is pertinent to mention that in the said case the learned Magistrate took cognizance of offence and summons were issued against the petitioners. The petitioners have prayed for quashing the said criminal proceeding.

The petitioners are not represented by their learned Advocate.

Learned Public Prosecutor is present in Court. He is requested to assist this Court.

It appears from the record that the petitioners and the opposite parties are co-sharer in respect of a particular piece of property. Over the said property series of civil and criminal litigations are pending. The learned Magistrate took cognizance of the offence in C.R. Case No. 226 of 2017 after recording initial statement under Section 200 of the Code of Criminal Procedure of the complainant and the witnesses.

At this stage, this Court does not find any ground to quash the instant proceeding. The petitioners are at liberty to state their grievance before the learned Judicial Magistrate at the time of framing of charge.

In view of the above discussion, the instant criminal revision is **dismissed** on merit.

(Bibek Chaudhuri, J.)