

Sr. 34
08-07-2021
Subha.
Court no. 34

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE
(Via Video Conference)**

CRR 385 of 2018

In Re : **Joyshree Das & Anr.**

.....Petitioners.

In the matter of : An application under section 397 read with sections 401/ 482 of the Code of Criminal Procedure.

Mr. Bidyut Kumar Roy
Ms. Manisha Sharma

...for the State.

The present revisional application has been preferred challenging the proceedings arising out of Belghoria P.S. FIR No.440 dated 16.10.2013 under sections 447/506/323/325 IPC.

The subject matter of the revisional application relates to false and fictitious case being initiated by the police authorities in collusion and in connivance and in conspiracy with the complainant.

Having regard to the grievance so alleged, I am of the view that the application has been taken out on question of facts which are required to be agitated at the stage of trial.

Needless to state that the police authorities after completion of investigation submitted a charge-sheet under Sections 447/506/323 IPC.

Records also reflect that the revisional application appeared on 15.5.2018 before a co-ordinate Bench of this court when none appeared on behalf of the petitioners to represent their case. Today also, when the matter has been taken up, there has been no representation on behalf of the petitioners.

On an appreciation of the issue so canvassed, I am of the firm opinion that the same do not fall within the parameters for quashing the first FIR or the charge-sheet.

Accordingly, the present revisional application being CRR No.385 of 2018 is dismissed.

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

Interim order so passed, if any, is hereby vacated.

Department is directed to communicate this order to the learned court below within a period of seven days from date.

All parties are to act on the server copy of this order duly downloaded from the official website of this court.

(Tirthankar Ghosh, J.)