

C.R.R. 601 of 2006

**In the matter of: Tanushree Roy (nee Sarkar) @ Sona
... petitioner**

The criminal revision is listed today for hearing. On call, none appears for the petitioner and opposite party nos. 1 to 3. On the previous occasion, i.e. on 14.09.2021 an accommodation was granted to the petitioner with a direction to come ready for hearing one week thereafter.

This is a long pending criminal revision under Section 401/482 of the Code of Criminal Procedure, 1973 filed by the petitioner, being aggrieved and dissatisfied with the order dated 22.11.2005 passed by the learned Judicial Magistrate, 1st Class, 2nd Court, Jangipur, Murshidabad in G.R. Case No. 467 of 2002 whereby the accused persons were acquitted from the charge under Section 498A of the Indian Penal Code.

The petitioner wife preferred the criminal revision on the grounds inter alia that the learned Magistrate failed to appreciate the torture meted out to the petitioner by her in-laws and without recording any cogent ground passed the order dated 22.11.2005 acquitting the accused persons.

Perused the application for criminal revision as well as the impugned order passed by the learned Judicial Magistrate in G.R. Case No. 467 of 2002 (Trial No. 766 of 2004). It appears from the order under challenge that on the date fixed for examination of the

accused persons under Section 313 of Cr.P.C., learned Magistrate took into consideration the evidence of P.W.1, the petitioner Tanushree Roy (nee Sarka) @ Sona. He has noted that no other person has adduced any evidence and that P.W. 1 in her evidence deposed that the case was filed by her but no incident took place. Learned Magistrate recorded that since there was no material against the accused persons the questions of examining the accused under Section 313 of Cr.P.C. did not arise and was pleased to acquit them under Section 248(1) of Cr.P.C.

Considering the above facts and circumstances and the materials in the record, I do not find any illegality, irregularity or impropriety in the impugned order calling for any interference. Criminal Revision is, therefore, liable to be dismissed on its merits.

It is therefore, ordered that the criminal revision is dismissed on merits.

Let a copy of this order be transmitted to the learned Judicial Magistrate, 1st Class, 2nd Court, Jangipur, Murshidabad for information.

(Ananda Kumar Mukherjee, J.)