

**CRR 733 of 2021
(Through Video Conference)**

In Re: - An application under Section under Article 227 of the Constitution of India read with 401 of the Code of Criminal Procedure, 1973.

And

In the matter of: Rupamoy Bhattacharya & Ors.
.... Petitioners

Mr. Soumyajit Das Mahapatra,
Mr. Soumyajit Raha,
Mr. Somnath Adhikary
...For the Petitioners

Mr. Santanu Chatterjee
...For the Opposite Party No. 2

Ms. Sukanya Bhattacharya,
Md. Kutubuddin.
...For the State

The petitioner, on October 9, 2020, made a complaint before various police authorities, alleging physical and mental torture, and demand of dowry by her husband and in-laws. Following the said complaint dated October 9, 2020, Bidhannagar Police Station registered the F.I.R. being No. 95 of 2020, dated November 19, 2020 under Sections 498A and 406 of the Indian Penal Code, 1860 and 3 & 4 of the Dowry Prohibition Act, 1961.

It appears that following the self-same complaint, another case was registered by Parnasree Police Station being F.I.R. No. 236 of 2020 under Sections 498A/406/34 of the Indian Penal Code, 1860 and 3/4 of the Dowry Prohibition Act, 1961.

Mr. Soumyajit Das Mahapatra, learned advocate appearing for the petitioner, submits that in view of the initiation of the aforesaid two Police Station Cases, his client has been subjected to undue harassment, and two cases should be amalgamated into one. Mr. Mahapatra relies upon one unreported judgment dated September 24, 2020, passed in **CRR 1053 of 2020 (Gobinda Kumar Halder & Anr. Vs. State of West Bengal & Anr.)**.

Ms. Sukanya Bhattacharya, learned advocate, appearing for the State submits that following the registration of Bidhannagar Police Station Case, charge sheet has already been submitted while investigation has not yet been completed by the Parnasree Police Station.

Mr. Santanu Chatterjee, learned advocate appearing for the opposite party no. 2 submits that since the Bidhannagar Police Station Case was registered after the Parnasree Police Station case, the second F.I.R. has to be stayed or interfered with.

I do not see any reason to accept the submission of Mr. Chatterjee since both the First Information Reports were lodged on the basis of the same complaint dated October 9, 2020.

The petitioners need not face the order of investigation again when the one of the investigation agencies has already been completed the investigation and filed the charge sheet.

In that view of the matter, the proceeding being F.I.R. No. 236 of 2020 under Sections 498A/406/34 of the Indian Penal Code, 1860 read with Section 3 & 4 of the Dowry Prohibition Act, 1961 registered before the Parnasree Police Station stands quashed.

It will, however, be open for the Investigating Agency of Bidhannagar Police Station to file a supplementary charge sheet on

the basis of the seizures conducted by the Parnasree Police Station, if they deem fit and proper.

With this observation, the revisional application being CRR 733 of 2020 stands allowed.

(Kausik Chanda, J.)