

**CRR 1539 of 2021
(Through Video Conference)**

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

And

In the matter of: **Md. Eusuph & Ors.**

.... Petitioners

Mr. Golam Mastafa,
Mr. Tarasankar Samanta,
Mr. Samirul Sardar

... For the Petitioners

This is an application for quashing of a proceeding being G.R. Case No. 443 of 2020 under Section 498A of the Indian Penal Code, 1860, and Sections 3 & 4 of the Protection of Women from Domestic Violence Act, 2005, pending before the Court of learned Additional Chief Judicial Magistrate, Bolpur, Birbhum.

Petitioner no. 1 is the father-in-law of the petitioner/de-facto complainant. Petitioner no. 2 is her husband and petitioner no. 3 is her father-in-law.

Mr. Golam Mastafa, learned advocate appearing for the petitioner, submits that petitioner no. 3 resides in a different place from the matrimonial house. Mr. Mastafa also submits that the petitioner no. 2 is a mentally retarded person, and the petitioner no. 1 is aged about 84 years.

It is submitted that the petitioners have no role in the alleged commission of the offence and they have been falsely implicated in this case.

In my view, no case has been made out for interference at this stage in the exercise of power under Section 482 of the Code of Criminal Procedure, 1973.

The petitioners will be at liberty to take all points available to them before the learned Magistrate in the Court below at the appropriate stage.

The revisional application being **CRR 1539 of 2021** is dismissed.

(Kausik Chanda, J.)