

24.03.2021
tkm/ct 35
sl no. 9

C.R.R. No. 2581 of 2016
(Via video conference)

In Re : Smt. Ruma Khan @ Chandra & Ors.petitioners

Mr. R Ganguly
.... For the petitioners

Mr. Ayan Bhattacharya
Mr. D N Chounder
Mr. S Lahiri
.... For op no. 2

Mr. Ranabir Roy Chowdhury
Mr. Mainak Gupta
.... For the State

Parties are represented.

Learned counsel for the petitioners submits that he has no instruction from the petitioners to conduct the case. Several accommodations have been granted to the petitioners. This court is of the view that the petitioners are no longer interested in the present case.

The case is taken up for hearing and disposal.

It is submitted on behalf of the opposite party no. 2 that the present application has been filed for quashing of charge sheet pertaining to GR case no. 620/15 pending before the learned ACJM, Asansol arising out of Hirapur PS case no.61 of 2015 dated 20.3.2015 under section 306/34 IPC.

It is submitted that charge has been framed and the case is ready for trial before the trial court.

It appears that the allegation against the petitioners is under section 306/34 IPC and charge sheet has been submitted against them under the said provisions of law. The averments in the complaint make out a prima facie case against the petitioners and there are several disputed questions of fact which need to be considered in course of trial. As the case is ready for trial, it should be taken to its logical conclusion by the learned trial court.

Upon consideration of the contents of the FIR, I am inclined to hold that this is not a fit case for quashing of charge sheet under section 482 Cr.P.C.

Accordingly, CRR 2581 of 2016 is dismissed.

Connected application, if any, also stands disposed of.

However, there shall be no order as to costs.

Copy of the order be sent to the learned trial court for information and necessary action.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon usual undertaking.

(Suvra Ghosh, J.)