

**IN THE HIGH COURT AT CALCUTTA**  
**Criminal Revisional Jurisdiction**

**Before:**  
**The Hon'ble Mr. Justice Jay Sengupta**

**C.R.R. 3299 of 2019**

Tapan Roy & Anr.  
Vs.  
The State of West Bengal & Anr.

|                        |   |                                                                         |
|------------------------|---|-------------------------------------------------------------------------|
| For the Petitioners    | : | Mr. Apurba Kumar Dutta.                                                 |
| For the State          | : | Mr. Saswata Gopal Mukherjee Ld PP,<br>Mr. Imran Ali,<br>Ms. Manasi Roy. |
| Heard on               | : | 20.01.2021                                                              |
| Judgement delivered on | : | 20.01.2021                                                              |

**Jay Sengupta, J. :**

This is an application for quashing of a proceeding in which charges were framed under Section 498A read with Section 34 of the Penal Code.

Affidavit of service filed on behalf of the petitioners is taken on record.

Although the State is represented, despite service and in spite of earlier appearances, no one appears on behalf of the private opposite party.

Learned Counsel appearing on behalf of the petitioners submits as follows. The petitioner no.1 is the maternal uncle of the husband of the de facto complainant/opposite party no.2. The petitioner no.2 is the sister-in-law of the

opposite party no.2. The main allegations are against the husband who is not before this Court. The allegations against the present petitioners are absolutely commonplace. In fact, the petitioner no.1 had visited the couple only once and could not be held responsible for the alleged offences.

Learned Counsel appearing on behalf of the State relies on the case diary and submits as follows. There are specific allegations against the present petitioners as would be evident from a plain reading of the First Information Report. These are supported by the versions given by at least three independent witnesses in their statements recorded under Section 161 of the Code. In any event, charges have already been framed in this case.

I have heard the submissions of the learned Counsels appearing on behalf of the petitioners and the State and have perused the revision petition and the case diary.

From a plain reading of the First Information Report, it appears that specific allegations have been levelled against the petitioner no.2 herein. Allegations have been clearly spelt out against the petitioner No. 1 as well.

It appears from pages 8, 10 and 12 of the case diary that even the neighbours had clearly taken the names of the present petitioners and had implicated them in this case.

In view of the materials available against the petitioners, I do not find any reason to interfere with the proceeding.

Accordingly, I do not find any merit in the present application and hence, the same is dismissed.

However, there shall be no order as to costs.

The learned Trial Court is requested to conclude the impugned proceedings as expeditiously as possible, without granting any unnecessary adjournment to any of the parties, preferably within a period of one year from the next date of hearing.

With these observations, the revisional application is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

**(Jay Sengupta, J.)**