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C.R.R. No. 303 of 2016

In Re: Chandan Dey & Another.
...Petitioners

Vs
The State of West Bengal & Another.

Mr. P.K. Datta
Mr. Santanu Deb Roy
....for the State

None appears on behalf of the petitioners.

Mr. P.K. Datta along with Mr. Santanu Deb Roy,
learned advocates appear on behalf of the State in this present
revisional application

The present revisional application has been filed
seeking order under Section 482 of the Code of Criminal
Procedure for quashing of the proceedings of G.R. Case No.
1035 of 2015 arising out of Chanditala P.S Case No. 204 of
2015 under Sections 498A, 354 and 34 of the Indian Penal
Code.

The fact of the case is that the Opposite Party No. 2
lodged first information report against the petitioners and two
others with the allegation of torture and outraging of modesty.
On such basis, Chanditala P.S Case No. 204 of 2015 was
registered against the petitioners and others. After
completion of investigation, charge sheet has been submitted
against the petitioners and two others under Sections 498A,

354 and 34 of the Indian Penal Code. Being aggrieved by and dissatisfied with the above proceedings, the petitioners have preferred the present revisional application for quashing of the proceedings.

It appears from the certified copy of the charge sheet submitted along with the revisional application that on the basis of primary materials collected during the course of investigation, the investigating agency submitted a charge sheet under Sections 498A, 354 and 34 of the Indian Penal Code against the petitioners and two others. In view of the above, this Court is of the opinion that the proceedings does not call for interference.

Accordingly, the revisional application is dismissed. However, it is made clear that the aforesaid observations shall not effect the rights and contentions of the petitioners before the trial court.

All connected applications stand disposed of.

Interim order, if any, stands vacated.

Let a copy of this order be sent to the learned trial court for information.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Bivas Pattanayak, J.)