

13.07.2022
Item No.26
Ct. No.33
S.A.

CRR 260 of 2014

In the matter of : Malyaban Roy Chowdhury &
Ors.

- vs. -
State of West Bengal & Ors.

Mr. Sandeep Chakraborty
...for the State

None appears on behalf of the petitioners.

This revisional application has been filed by the petitioners seeking quashing of GR Case No.367 of 2007 (arising out of Siliguri P.S. Case No. 95 of 2007 dated 24.04.2007 under Section 498A of the Indian Penal Code).

The brief fact of the case is that O.P. No.2 complainant lodged a complaint before the Siliguri PS with the contention that she was married to petitioner No.1 on 31.06.2005 according to Hindu Rites and Customs. At the time of marriage, gold ornaments, furnitures and other articles were given. Soon after marriage she was subjected to torture on demand of further sum of money of Rs.5 lakhs. Ultimately she was assaulted and driven out from the matrimonial home. On such basis, Siliguri P.S. Case No.95 of 2007 was registered under Section 498A of the Indian Penal Code against the petitioners. Upon completion of investigation, the police submitted charge-sheet against all the accused persons (petitioners herein).

Being aggrieved by and dissatisfied with the said proceedings, the petitioners have filed the present revision.

Mr. Sandeep Chakraborty, learned advocate for the State files the report. Let it be kept with the record. He submits that already charge-sheet has been submitted in this case against the petitioner and the trial has commenced and as such the present revision is liable to be dismissed.

It appears that upon completion of investigation the police authority submitted the charge-sheet against all the petitioners under Section 498A of the Indian Penal code on the basis of primary materials collected during the course of investigation. Furthermore, charge has been framed against the petitioners under Section 498A of the Indian Penal Code and evidence of the prosecution witnesses has already commenced.

In view of the above materials, the proceeding before the trial court does not call for interference.

Accordingly, the present revision is dismissed.

However, it is made clear that the observation made hereinabove shall not have bearing on the rights and contentions of the petitioners before the trial court.

All connected applications, if any, stand disposed of.

Interim order, if any stands vacated.

Urgent photostat certified copies of this order may be delivered to the parties, if applied for, upon compliance of all formalities.

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

(Bivas Pattanayak, J.)