

04-05-2022
Item no.37
Subrata

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR No.243 of 2015
Sanjoy Mazumder & Ors.
-vs-
The State of West Bengal & Anr.

None

...for the petitioners

Mr. Anwar Hossain
Ms. Manisha Sharma

... for the State

The revisional application has been preferred assailing the proceedings relating to Bizpur P.S. Case No.370 dated December 1, 2013 under section 498A IPC.

The petitioners happen to be the husband, mother-in-law and the married sister-in-law of the second opposite party.

As none represents the State, Ms Manisha Sharma who ordinarily appears for the State is directed to appear for the State in this case. Her appearance may be regularised by the concerned authorities.

The petitioners approached this court immediately after the registration of the FIR; and one of the pleas taken was that the husband of the victim was in abroad at Oman, as such, the provisions of section 498A IPC are not attracted.

I have considered the allegations made in the FIR that there was continuous physical torture and further demand of dowry at the instance of the accused-petitioners. The contention advanced in the revisional application is one of the alibi which cannot be considered at this stage and the investigating authorities are supposed to consider the same.

Having regard to the contentions advanced in the revisional application, I am of the considered view that this is not a fit case for

quashing the proceedings.

Accordingly, CRR No.243 of 2015 is dismissed. Pending applications, if any, are consequently disposed of. Interim order, if any, is vacated.

All parties are to act on the server copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]