

16.02.2022

Item No.36
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.R. 739 of 2020
(Via Video Conference)

Saugata Das & Ors.
versus
Preeti Das

In Re: An Application under Section 482 of the Code of Criminal Procedure, 1973 filed for quashing of the proceedings arising out of C.R. Case No. 103/2015 corresponding to T.R. No. 94/15 under Sections 498A/500/34 of the Indian Penal Code, 1860 pending before the learned Judicial Magistrate, 5th Court, Serampore, Hooghly.

The present revisional application has been preferred for quashing the proceedings arising out of C.R. Case No. 103/2015 (T.R. No. 94/15) under Sections 498A/500/34 of the Indian Penal Code pending before the learned Judicial Magistrate, 5th Court, Serampore, Hooghly.

The contentions advanced in this revisional application are series of cases which are pending between the parties and those cases which have been disposed of. The grievance of the petitioners is that the present opposite party is filing one after another case and as such, the present case has been initiated with an ulterior motive and the same should be quashed.

The grounds on which the complaint case under Sections 498A/500/34 of the Indian Penal Code has sought to be quashed are not on the foundation of any legal bar or a factual foundation which debars the complainant to initiate a proceeding. The contentions/allegations made in the petition of complaint, *prima facie*, make out an offence in respect of

the sections for which it has been instituted and as such, this Court is of the considered view that no interference is called for.

Accordingly, the revisional application being CRR 739 of 2020 is dismissed.

Interim order, if any, is hereby vacated.

All pending connected applications, if any, are consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)