

CRR 306 of 2015

Md. Arif Khan & Ors.v -Vs-State of West Bengal & Anr.

An application under Section 401 read with Section 482 of the Code of Criminal Procedure, 1973.

Mr. Sandip Chakraborty
...for the State.

None appears on behalf of the petitioners.

The present revisional application has been filed by the petitioners under Section 401 read with Section 482 of the Code of Criminal Procedure for quashing of the proceeding arising out of Belur Police Station Case No. 231 of 2014 under Sections 498A/406/34 of the Indian Penal Code and Sections 3 /4 of the Dowry Provision Act.

The brief fact of the case is that the opposite party No. 2 lodged a written complaint that she was married to petitioner no. 1 and after marriage, on demand of further dowry, she was subjected to both mental and physical torture in the matrimonial home. On such basis, the FIR came to be registered against the petitioners. Being aggrieved by and dissatisfied with the aforesaid proceedings the petitioners have preferred the present revisional application.

Mr. Sandip Chakraborty, learned Advocate appearing on behalf of the State files status report in compliance to order dated 14.7.2022. The status report is taken on record. He submits that upon completion of investigation, the investigating agency has submitted charge-sheet against all the accused persons i.e. the petitioners herein and as such the

revisional application is liable to be dismissed.

It is found from the certified copy of the FIR annexed to the petition that on the basis of complaint lodged by opposite party no. 2. FIR was initiated against all the petitioners. The reports dated 25.7.2022 submitted by the State shows that the investigation of the case has ended in filing of charge-sheet under Sections 498A/406/34 of the Indian Penal Code and Sections 3 /4 of the Dowry Prohibition Act, against all the FIR named accused persons, who are petitioners herein. Considering such primary materials the proceeding before the trial court does not call for interference.

Accordingly, the revisional application stands dismissed.

It is however made clear that the aforesaid observation shall not have bearing on the rights and contentions of the parties before the trial court.

All connected applications also stand disposed of.

Interim order, if any, stands vacated.

Urgent photostat certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Bivas Pattanayak, J.)