

CRR 320 of 2015

In the matter of:- **Smt. Lakshmi Sarkar**
versus
State of West Bengal & Anr.

Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan

....for the State

None appears on behalf of the petitioner.

The present revisional application has been filed by the petitioner under Section 482 of the Code of Criminal Procedure for quashing of the proceeding being B.G.R. No. 4707 of 2009 (corresponding to A.C.G.R. No. 413 of 2012) arising out of Behala Police Station Case No. 399 dated 12.09.2009 under Sections 498A/406 of the Indian Penal Code.

The brief fact of the case is that the opposite party No. 2-complainant lodged a written complaint at Behala Police Station with the contention that her marriage was solemnized with one Rana Dutta on March, 2008. Subsequently, she was physically and mentally tortured in the matrimonial home on several occasions. On such basis Behala Police Station Case No. 399 dated 12.09.2009 under Sections 498A/406 of the Indian Penal Code was registered against the petitioner and four others. Upon completion of investigation charge-sheet was submitted against the petitioner and four others under Sections 498A/34 of the Indian Penal Code.

Being aggrieved by and dissatisfied with the aforesaid proceeding the petitioner has preferred the present revisional application.

Mr. Arijit Ganguly, along with Mr. Sanjib Kr. Dan learned Advocates, appears on behalf of the State. The concerned authority is requested to regularize their appointment. Mr Ganguly submits that on the basis of primary materials charge-sheet has been submitted and as such the revisional application is liable to be dismissed.

It is found that charge-sheet has been submitted by the investigating agency against the petitioner and four others under Sections 498A/34 of the Indian Penal Code on the basis of primary materials collected during the course of investigation. In the aforesaid backdrop, the proceeding before the trial Court does not call for interference .

Accordingly, the present revisional application is dismissed.

It is however made clear that the observation made hereinabove 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.)