

15.02.2022

Item No.47
Ct.No.34
dc.

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

C.R.R. 641 of 2019
(Via Video Conference)

Biplab Mondal
versus
The State of West Bengal & Anr.

In Re: An Application under Section 482 of the Code of Criminal Procedure, 1973 filed for quashing of the proceedings being G.R. Case No. 2634 of 2016 arising out of Bhaktinagar Police Station Case No. 1022 of 2016 dated 14.07.2016 under Sections 498A/494 of the Indian Penal Code.

Mr. Shyamal Kumar Mukhopadhyay,
Ms. Poulumi Roy ... For the Petitioner.

Mr. Imran Ali,
Ms. Debjani Sahu ... For the State.

Affidavit-of-service filed in Court today be kept on record.

Learned advocate appearing for the petitioner submits that the de facto complainant has distorted the facts of the case by suppressing the actual set of facts and on the basis of that the case has been registered for investigation under Sections 498A/494 of the Indian Penal Code. Learned advocate relies upon a photostat copy of the order of civil court as also a decree declaring the marriage to be null and void which was passed in connection with MAT Suit 24 of 2016.

This revisional application was preferred at a stage when the charge-sheet was submitted. There was no interim order in respect of the proceedings and it has been informed that subsequently charge has also been framed.

As none appears on behalf of the State, Ms. Debjani Sahu, learned advocate, who ordinarily appears for the State, is directed to appear in this matter and represent the State. Her appointment may be regularized by the concerned authorities.

Having regard to the stage of the case, I direct that the petitioner would be at liberty to produce the documents of the civil court before the learned trial court at the appropriate stage of the proceedings and the learned trial court would appreciate and consider the same while arriving at its final opinion.

With the aforesaid observations, the revisional application being CRR 641 of 2019 is disposed of.

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.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)