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C.R.R. No.452 of 2013

In Re: An application under Section 482, 397 and 401 of the Code of Criminal Procedure;

Chandana Mondal
Versus
State of West Bengal & Ors.

The present revisional application has been preferred challenging the order dated 07.01.2013 passed by the learned ACJM, Kakdwip, 24 Parganas (South) in C.R. Case No.06 of 2013.

Learned Magistrate after examination of the complaint on solemn affirmation and documents filed on behalf of the complainant observed that a declaratory suit was pending before the learned Civil Judge and in such background assessed the allegations made in the petition of complaint. After scrutinizing the merits of the matter, the learned court came to the conclusion that the offence complained of under the Indian Penal Code has not been made out and as such dismissed the petition of complaint under Section 203 of the Code of Criminal Procedure.

Having regard to the grounds so assigned by the learned Magistrate in its order dated 07.01.2013, I find no reason to interfere with the same.

Consequently, the revisional application being CRR 452 of 2013 is dismissed.

Pending application, if any, is consequently dismissed.

Interim order, if any, is hereby vacated.

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

(Tirthankar Ghosh, J.)