

04-04-2022
Subha
Item no.39
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

C.R.R 761 of 2017

In the matter of : **Alamgir Midda & Anr.**petitioners.

In Re : An application under Section 482 of the Code of Criminal Procedure.

Mr. S. G. Mukherji, Id. PP,
Mr. Saryati Datta

....for the State.

The revisional application has been called on the 2nd occasion, yet none appeared on behalf of the petitioner.

Mr. Mukherji, learned Public Prosecutor appears on behalf of the State and produces the case diary.

The revisional application has been preferred challenging the chargesheet which was submitted on 12th January, 2017 under Sections 498A/406/34 of the Indian Penal Code. Petitioner no. 1 happens to be the brother-in-law and the petitioner no.2 is the wife of the brother-in-law of the opposite party no.2.

I have considered the submissions of the opposite party no.2 wherein there are specific allegations of physical and mental torture being inflicted upon her by the petitioners along with others.

In view of the statement of the complainant/opposite party no.2 and other witnesses and the stage at which the petitioner approached this court, I am of the opinion that the revisional

application was preferred at a premature stage, as such no interference is called for.

Accordingly, the revisional application being CRR 761 of 2017 is dismissed. However, the petitioners would be at liberty to agitate the points canvassed in the revisional application at the appropriate stage of the proceedings before the learned trial court..

All pending applications, if any, in connection with the revisional application, are consequently disposed of.

Interim order, if any, is hereby vacated.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]