

139 09.11.2022
RP Ct.No. 236

CRR 941 of 2011
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CRAN 1 of 2011 (Old No. CRAN 1421 of 2011) not in file

In the matter of : Badsha Ali & Anr.

Ms. Sreyashree Biswas

... for the petitioners

The fact of the case is that Md. Nuruddin Kha informed the Officer-in-Charge of Tiljala Police Station in writing that his daughter Parvina Khatoon, aged 12 years, was engaged as domestic help in the house of Badsha Ali and Asmatara Begum. The minor girl was treated with cruelty on 19th October, 2007. When the wife of the informant went to bring her daughter back from the house of Badsha Ali, to her surprise she found mark of injury over the person of minor girl. Her minor girl reported that she was assaulted by Asmatara Begum with hot khunti and she sustained burnt injury on her hand and cheek. As the information disclosed offence cognizable in nature, Tiljala Police Station Case No.323 dated 21st October, 2007 was registered against Asmatara Begum and Badsha Ali. Subsequent to registration of FIR Nuruddin Kha, the father of the victim, was made to write a letter to the Officer-in-Charge, Tiljala Police Station strictly inter alia that they have settled the issue amicably. However, ignoring such information police proceeded with investigation and submitted charge sheet.

Hence, this application under consideration.

It is contended by the petitioner that since the dispute has been settled by and between the parties and the de facto complainant disclosed his mind not to proceed with the case, there was no reason for the police to ignore such instruction and proceed with the investigation. It is further contended that out of sheer misunderstanding between the petitioner and the de facto complainant the FIR was registered and on that ground alone the petitioner want to get the entire proceeding being Tiljala Police Station Case No.323 dated 21.10.2007 under Section 325 of Indian Penal Code read with Section 14 of Child Labour Prohibition & Regulation Act, 1986 read with Section 23/26 Juvenile Justice and Protection of Children Act, 2000 quashed.

Upon perusal of materials, particularly, the charge sheet, I find that the investigation is culminated into submission of charge sheet under Section 325 of Indian Penal Code read with Section 14 of Child Labour Prohibition & Regulation Act, 1986 read with Section 23/26 Juvenile Justice and Protection of Children Act, 2000.

Considering the nature of offence and conduct of the parties, I am not inclined to concede to the prayer of the petitioners, who do not have any faith in the rule of law.

Accordingly, the revision application is dismissed, however, without any costs. Consequently, the connected application is dismissed.

(Siddhartha Roy Chowdhury, J.)

