

05-04-2022
Subha
Item no.56
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

C.R.R 1353 of 2018

In the matter of : **Sri Ram Narayan Sonkar & Ors.**

.....petitioners.

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

Mr. Saikat Basu
Mr. Palash Mukherjee

....for the petitioners.

Mr. Sanjoy Bardhan
Ms. Manisha Sharma

....for the State.

The revisional application has been preferred challenging the proceedings arising out of Girish Park Police Station Case No. 331 of 2016 dated 03/12/2016 under Sections 498A/420/120B of the Indian Penal Code.

Learned advocate appearing on behalf of the petitioners submits that from the documents of sterling quality it reflects that the issue of marriage and the factum of the petitioners staying at their matrimonial home itself is questionable and the investigating agency without investigation has submitted a chargesheet before the jurisdictional court.

Additionally, it has been submitted that there are applications of the complainant before different forum which will expose the complainant regarding her contentions which are contrary before different forum and cumulatively if the contentions of the

complainant are accepted to be true also, the same fails to make out any criminal case against the present petitioners who have approached this court for quashing of the proceedings.

Mr. Bardhan, learned advocate appearing on behalf of the State resists the submissions made by the learned advocate appearing on behalf of the petitioners.

I have considered the submissions of the rival parties and I find that the petitioners approached this court at a stage when the charge-sheet was submitted and the prosecution documents under Section 207 of the Code of Criminal Procedure was yet to be supplied to them.

Having regard to such fact, I am of the opinion that the present revisional application is premature. Petitioners would be at liberty to canvass their points agitated in this revisional application at the stage of consideration of charge (provided, the trial court has not crossed the said stage) before the learned trial court after the prosecution has served the copies which they intend to rely.

With the aforesaid observations, the present revisional application being CRR 1353 of 2018 is disposed of.

. 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]

