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May 13,
2022
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C.R.R. No.926 of 2013

In Re: An application under Section 401 read with 482 of Code of Criminal Procedure, 1973;

Nilesh Ojha & Ors.
Versus
The State of West Bengal & Anr.

Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan.
...for the State.

The present revisional application has been preferred for quashing of the charge-sheet filed in connection with Bhawanipore Police Station Case No.382 dated 28.01.2011 under Sections 498A/406/120B of the Indian Penal Code.

As none appears on behalf of the State, Mr. Sanjib Kumar Dan, learned advocate, who ordinarily appears on behalf of the State, is directed to represent the State in this matter. His appointment may be regularized by the concerned authorities.

Records of the revisional application reflect that the police authorities on conclusion of investigation submitted charge-sheet under the same sections for which the case was registered. The police authorities on conclusion of investigation was pleased to opine that the complainant being a housewife was physically and mentally tortured for demand of dowry by her husband, brother-in-law and mother-in-law and she was thrown out her from the matrimonial home.

Having regard to the fact that the petitioner approached at a stage when the documents under Section 207 of the Code of

Criminal Procedure were yet to be supplied, I am of the opinion that the stage was premature. The petitioner would be at liberty to agitate the points canvassed in the revisional application and/or rebut the same in course of the trial.

Accordingly, CRR 926 of 2013 is dismissed.

Pending application, if any, is consequently disposed of.

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.)