

Form J(1)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

CRR 2100 of 2022

**Monoj Patra & Ors.
Vs
The State of West Bengal & Anr.**

For the petitioner : Ms. Sohini Bhattacharjee, Adv.

Heard on : 05.09.2022

Judgment On : 05.09.2022.

Bibek Chaudhuri, J.

The petitioners being the husband, mother in law, sister in law and the husband of the sister in law of the de facto complainant in connection with Nimta Police Station Case No.518 of 2020 under Sections 498A/406/34 of the Indian Penal Code and Sections 3 & 4 of Dowry Prohibition Act has prayed for quashing of the charge-sheet filed against them by the police authority after investigation.

It is ascertained from the revisional application that the said case is now pending before the learned Additional Chief Judicial Magistrate at Barrackpore.

It is submitted by the petitioners that they were falsely implicated in this case by the de-facto complainant. The petitioner No.1 could not run the paternal family of the de-facto complainant during Covid-pandemic period. This is the precise reason for lodging the complaint against the petitioners.

It is also submitted by the learned Advocate for the petitioners that petitioner Nos.3 & 4 being the sister in law of the de facto complainant and her husband reside at their respective house far away from the matrimonial home of the de-facto complainant. The allegation made out against him are false, concocted frivolous.

The petitioners have come forward before this Court praying for quashing of the charge-sheet on the basis of disputed question of facts. This Court sitting in revision cannot adjudicate such disputed question of facts even after notice upon the opposite parties. Such disputed question of facts can only be agitated and adjudicated by the Trial Court on the basis of evidence that may be adduced by the parties.

Therefore, I do not find any merit in the instant revision.

However, considering the fact that Nimta Police Station Case No.518 of 2020 pending for last 2 years without the trial being proceeded with, the learned Magistrate is requested to expedite the

trial of the case and come to a logical conclusion within one year from the date of communication of the order.

The petitioners are at liberty to communicate the order obtaining server copy from the official website of this Court.

The instant revision is, thus, **disposed of**.

(Bibek Chaudhuri, J.)

***Mithun De/
A.R. (Ct).
SI No.96.***