

CRR 1784 of 2018

In Re: - An application under Section 482 of the Code of Criminal Procedure, 1973.

And

In the matter of: Debasish Bag & Ors.

.... Petitioners

Mr. Shiba Prasad Bhattacharjee
...for the Petitioners

Affidavit of service filed by the petitioners be kept with the records.

Despite service, none appears on behalf of the opposite parties.

This is an application for quashing of an F.I.R. registered as Sankrail Police Station Case No. 238 of 2018 dated April 16, 2018, under Sections 498A and 34 of the Indian Penal Code, 1860 and Sections 3 and 4 of the Dowry Prohibition Act, 1961, pending before the Chief Judicial Magistrate, Howrah.

It has been submitted by the learned advocate for the petitioner that the allegations made in the F.I.R. are completely false. At the material point of time, the opposite party no.2 was not living with her in-laws. She left her matrimonial house at least eight years prior to the date of lodging the F.I.R. It has also been submitted that the opposite party no. 2 is not the legally married wife of the petitioner no.1.

I am not inclined to quash the F.I.R. on the grounds as urged by the learned advocate for the petitioner. In a petition for quashing of an

F.I.R., the Court cannot look into the veracity of the allegations made in the F.I.R. The allegation has to be accepted on its face value. Only limited query, a Court can embark upon in a case for quashing of an F.I.R. is whether the allegations made in the F.I.R. are disclosing cognizable offence.

A plain reading of the F.I.R. in question discloses cognizable offences.

In that view of the matter, I am not inclined to interfere with the impugned proceedings. Accordingly, CRR 1784 of 2018 is dismissed.

Let urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all necessary formalities.

(Kausik Chanda, J.)