

16.08. 2022
item No.85
n.b.
ct. no. 42

CRR 1713 of 2021
Mrinmoy Dutta & Anr.
Vs.
The State of West Bengal

Ms. Priyanka Saha
.....for the Petitioners
Mr. Mirza Firoj Ahmed Begg
... for the State.

The instant revision under Section 482 of the Code of Criminal Procedure has been filed by the petitioners prayed for quashing of the proceedings in connection with Bantra Police Station Case No.49 of 2020 dated 29.04.2020 corresponding to G.R. Case No.1752 of 2020 pending before the Learned Chief Judicial Magistrate at Howrah (Sadar).

It is ascertained from the submission made by the learned advocate for the petitioners that the petitioners have civil dispute with the elder sister of petitioner no.1. Though the said elder sister of petitioner no.1 has not been made party in the instant revision, it is submitted by the learned advocate for the petitioner that civil suits filed both the petitioners and the elder sister of the petitioner no.1 are pending. Over the possession of a room which was under lock and key ancestral property a dispute cropped up between the petitioner and elder sister of the petitioner no.1 which resulted in filing a written complaint and initiation of the above-mentioned case.

It is submitted on behalf of the petitioners that during the pendency of the instant revision charge-sheet has been filed against the petitioners. Therefore, they required to assail the charge sheet after making the elder sister of petitioner no.1 and opposite party.

Therefore, it is submitted by the learned advocate for the petitioners that the petitioners may be permitted to withdraw the instant revision with liberty to file an appropriate application for quashing of the charge sheet filed in connection with the above-mentioned police case.

In view of such submission, the instant revision is dismissed as withdrawn.

This order, however, will not preclude the petitioners from approaching the Court having proper jurisdiction to pray for quashing of the charge sheet filed in connection with Bantra Police Station Case No.49 of 2020.

The instant revision is thus disposed of.

The parties are at liberty to act on the server copy of the order.

(Bibek Chaudhuri, J.)