

Court No.
33
Item 2
Ali
26.08.2022

CRR 1263 of 2013

Smt. Lipi @ Ashima Ghosh & Anr.

-Vs-

State of West Bengal & Anr.

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

Ms Sreyashee Biswas

...for the State

None appears on behalf of the petitioners.

The present revisional application has been preferred by the petitioners quashing of proceedings being G.R. Case No. 2499 of 2008 (arising out of Domjur Police Station Case No. 245 of 2008 dated 17.08.2008) under Sections 498A/406/34 of the Indian Penal Code.

The brief fact of the case is that the opposite party No. 2-complainant filed a petition under Section 156(3) of the Code of Criminal Procedure with the contention that she was married that one Shri Bidyut Hathi, since deceased, in the years 1996 and at the time of marriage case amount, furniture, utensils, ornaments and some other gifts were given. After marriage she started to lead her conjugal life, however on 18.01.2008 her husband expired. Since then it is alleged that she was tortured both mentally and physically in the matrimonial home and on 29.07.2006 she was mercilessly assaulted and driven out from the matrimonial home and her articles were misappropriated. The petition under Section 156(3) of the Code of Criminal Procedure was sent to the Domjur Police Station for treating the same as FIR and cause

investigation. Accordingly, FIR was registered against the petitioners and five others under Sections 498A/406/34 of the Indian Penal Code.

Being aggrieved by and dissatisfied with the said proceeding the petitioners have preferred the present revisional application.

Ms. Sreyashee Biswas, learned advocate appearing on behalf of the State submits status report. The Status report is taken on record. She submits on the basis of primary materials, the police authority has submitted charge-sheet against the petitioners and five others under Section 498A/406/34 of the Indian Penal Code and charged has already been framed by the trial court and date has been fixed for evidence. In the light of her aforesaid submissions, she prayed for dismissal of the revisional application.

It appears from the copy of the charge-sheet annexed to the application that upon completion of investigation police authority submitted charge-sheet against the petitioners and five others under Sections 498A/406/34 of the Indian Penal Code, on the basis of primary materials collected during the course of investigation. The status report submitted on behalf of the State shows that charge has already been framed and date has been fixed for examination of witnesses.

In view of the above, the proceeding before the trial court does not call for interference.

Accordingly, The present revisional application stands

dismissed.

All connected applications stand disposed of.

Interim order, if any, stands vacated.

Urgent photostat certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Bivas Pattanayak, J.)