

Form J(1)

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

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

CRR 2295 of 2022

**Shalek Sk @ Salek Sk. and Another
Vs.
The State of West Bengal & Anr.**

Mr. Angshuman Chakraborty
...for the petitioner

Item No.135 ML

Heard & Judgment on: 02.08.2022

Bibek Chaudhuri, J.

The petitioners are the accused persons in respect of Sankrail Police Station Case No.374 of 2021 and 375 of 2021 dated 29th March, 2021. They have prayed for quashing of F.I.R. No.375 of 2021 on the ground that over the self-same incident one Champa Sasmal lodged a written complaint in the same police station. On the basis of which

Sankrail Police Station Case No.374 of 2021 was registered. Therefore, the case arising out of second F.I.R. may be quashed.

On perusal of the written complaint and formal FIR in Sankrail Police Station Case No.374 of 2021 it appears that the de facto complainant alleged, inter alia, that when she was taking water from the tube well situated in front of their house, the petitioners along with other accused persons abused her with filthy language. Subsequently, the accused persons committed criminal trespass into the house of the de facto complainant, physically assaulted the daughter of the sister-in-law of the de facto complainant. They also assaulted one Kaberi Sasmal and abused them taking the name of their caste. Thus, the place of occurrence in respect of Sankrail Police Station Case No.374 of 2021 is inside the house of the de facto complainant.

On the other hand, Sankrail Police Station Case No.375 of 2021 was registered on the basis of a written complaint submitted by one Amit Sasmal alleging, inter alia, that when he was taking water on 29th March, 2021 at about 3 P.M. from the tube well in front of their house, the accused persons abused him, assaulted him causing bleeding injury on his left eye. When his brother, mother and brother's son rushed to the spot to save him, they also assaulted him

and abused them in the name of their caste. Thus, place of occurrence in respect of both the cases are different.

However, it is found that the incident alleged in Sankrail Police Station Case No.374 of 2021 is the continuation of the alleged incident that took place on the date and time of occurrence in front of the tube well situated near the house of the de facto complainant.

It is submitted by the learned advocate on behalf of the petitioner that in respect of Sankrail Police Station Case No.375 of 2021, police submitted a charge sheet against the accused persons.

Under such circumstances, the Officer-in-charge, Sankrail Police Station is directed to conclude investigation of Sankrail Police Station Case No.374 of 2021 at the earliest.

The learned Chief Judicial Magistrate, Howrah is directed to tag both the charge sheets in respect of the above numbered cases instituted against the petitioner and conclude the trial in one and composite hearing.

With the above direction the instant criminal revision is disposed of.

(Bibek Chaudhuri, J.)