

20.09.2022

CRR 2587 of 2022

In the matter of : **Larmar J. Singh & Anr.**
.....petitioners.

For the petitioners: Mr. Pratip Mukherjee, Adv.,
 Mr. Suddhadev Adak, Adv.,
 Mr. Omar Faruk Gazi, Adv.

For the State:-
 Mr. Ranabir Roy Chowdhury, Adv.,
 Ms. Sreeparna Das, Adv.

Petitioner No.1 is a citizen of United States of America. Petitioner No.2 is the married wife of the petitioner No.1. The petitioners have approached this Court in its inherent jurisdiction under Section 482 of the Code of Criminal Procedure praying for quashing of the charge-sheet dated 2nd July, 2022 under Sections 341/353/323/114 of the IPC arising out of Bhawanipur Police Station Case No.86 dated 31st March, 2022 pending before the learned Chief Judicial Magistrate, South 24 Parganas at Alipore.

Learned Advocate for the petitioners submits that petitioner No.1 came to India primarily to marry petitioner No.2. He came to this country on the strength of valid passport and visa granted by Indian Embassy. His marriage was solemnized with the petitioner No.2 on 28th January, 2022. On 29th March, 2022 the Assistant Commissioner of Police Security Control Organization, Kolkata lodged a complaint to the Officer-in-Charge, Bhawanipur Police alleging, inter alia, that the petitioner came to the office of the Security Control Organization/FRRO at 237, A.J.C Bose Road, Kolkata and

acknowledge in a heated altercation with the employees of the said office. In course of such altercation, the petitioner assailed on Subhasis Auddy, Head Assistant, Security Control Organization, Kolkata and Suman Samanta, Lower Division Assistant attached to the said office.

On the basis of such complaint police registered Bhawanipur Police Station Case No.86 dated 31st March, 2022 under Section 341/353/323/114 of the IPC and took up the case for investigation. On completion of investigation, police submitted charge-sheet against the petitioners under the said penal provisions. The petitioners have filed the instant revision praying for quashing of the charge-sheet filed against them on the ground that the petitioner went to the office of the Security Control Organization on 23rd March, 2022 to make arrangement to leave this country for USA. However, they were falsely implicated in this case with some ulterior motive.

I have heard the learned Advocate for the petitioners. I have also carefully perused the documents filed by the petitioners with the instant application. On perusal of the copy of the charge-sheet, statements of the witnesses recorded by the Investigating Officer under Section 161 of the Cr.P.C, I do not find any material that may lead to hold that the petitioners were falsely implicated in a criminal case by the police.

In view of such circumstances, I do not find any merit in the instant revision and accordingly the revisional application is summarily dismissed.

(Bibek Chaudhuri, J.)