

C.R.R. 2670 of 2011

01.07.2022

Sl. 40
Court No.40
Sourav

In Re: - An application under Sections 397/401 read with Section 482 of the Code of Criminal Procedure, 1973.

And

In the matter of: **Sri. Tapan Das & Ors.**

....petitioners.

Mr. Anwar Hossain
Ms. Manisha Sharma

...for the State.

None appears on behalf of the petitioners.

Mr. Anwar Hossain along with Ms. Manisha Sharma, learned counsels appearing on behalf of the State.

On previous occasion also none appeared on behalf of the petitioners.

The instant application is filed under Sections 397/401 read with Section 482 of the Code of Criminal Procedure praying for quashing of the impugned order dated July 22, 2011 passed by the Additional District and Sessions Judge, Fast Track Court II, Kalyani, Nadia, in connection with the Sessions Case No. 72(5) of 2011.

Prosecution began in this case on the strength of a written complaint made by the father of the victim. The statement of witnesses indicate and corroborate, *prima facie*, the allegations made in the written complaint. The charges framed by the Trial Court were based on materials on record. Therefore, it cannot be said that framing of charges under Section 498A/304B/34 of the Indian Penal Code alternatively under Section 302/34 of the Indian Penal Code are baseless.

It is not a case inviting exercise of jurisdiction under Section 482 of the Criminal Procedure Code.

Accordingly, the revisional application being **CRR 2670 of 2011** stands dismissed.

(Sugato Majumdar, J.)