

Form J(2)

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

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

**C.R.R. 2357 of 2021
IA No: CRAN 5 of 2022**

**Soumen Bhattacharya
Vs.
State of West Bengal & Anr.**

For the petitioner : Ms. Aishwarya Bazaz

**For the State : Mr. Swapan Banerjee, Adv.
Mr. Suman De, Adv.**

**For Opposite Party No.2. : Mr. Debasish Roy
Mr. Atis Kumar Biswas
Mr. Partha Sarkar
Mr. Amit Singh
Ms. Jyoti Agarwal**

Heard on : 23.06.2022, 05.07.2022

Judgment On : 05.07.2022.

Bibek Chaudhuri, J.

This is an application for extension of interim order dated 6th May, 2022 passed in C.R.R. 2357 of 2021.

Learned advocates for the petitioner, the defacto complainant/private opposite party and the learned Public Prosecutor in- Charge are present. On perusal of the materials on record, this court

is of the view that the instant criminal revision can be disposed of here and now.

The written complaint submitted by the opposite party no.2 goes to suggest that one Dr. Anag Banerjee proposed opposite party no.2, through the present petitioner for having a relationship. Subsequently the said doctor gave impression that he was having a failed marriage and divorce proceeding was going on and he would be divorced from his wife very soon and would marry the defacto complainant, who was a staff nurse of Nalhati Block Health Centre. On being proposed as such through the present petitioner, the defacto complainant had physical relationship with the said medical practitioner for a continuous period of two years. Subsequently the defacto complainant wanted to see the papers relating to the divorce of the said medical practitioner. Then he and the present petitioner threatened her, criminally intimidated her with dire consequence and also insulted her with a view to outrage her modesty.

In view of such specific allegation made against the petitioner and on perusal of memo of evidence, this court is of the view that the petitioner is liable to be tried for the offence committed under Sections 506 and 509 of the Indian Penal Code.

Accordingly charge framed against the present petitioner by the learned court below is set aside. The learned trial judge is directed to

frame charge against the present petitioner under Sections 506/509 of the Indian Penal Code.

The instant criminal revision is disposed of on contest. The CRAN 5 of 2022 is also disposed of. The memo of evidence is kept with the record.

(Bibek Chaudhuri, J.)