

27.09.2022
Item No.22.
Mithun
Ct.42

CRR 3124 of 2022
Anita Ditta & Anr.
Vs.
The State of West Bengal & Anr.

Mr. Nasiruddin Molla, Adv.

...for the petitioners.

The petitioners have filed the instant revision invoking Section 482 of the Code of Criminal Procedure with a prayer to quash further proceedings in connection with G.R. Case No.721 of 2022 arising out of Uttarpara Police Station Case No.139 of 2022 dated 2nd May, 2022 under Sections 341/506/323/379/34/504 of the Indian Penal Code.

It is submitted on behalf of the petitioners that the petitioners were falsely implicated in connection with the above-mentioned case as they protested against the specific act of nuisance committed by the opposite party No.2/de-facto complainant. The de-facto complainant used to play music in his flat at a high volume causing disturbance and nuisance of the petitioners. The petitioners requested him to stop playing music at late hours of night, at this the petitioner No.1 was assaulted and her modesty was outraged by the

de-facto complainant on 6th February, 2022. Over the said incident a police case was registered. G.R. Case No.721 of 2022 is a counter blast of the case filed against the de-facto complainant by the petitioners.

It is further submitted by the learned Advocate for the petitioners that entire allegation made by the de-facto complainant is false and the aforesaid criminal case should be quashed.

It is not in dispute that a counter case filed by the petitioner No.1 against the de-facto complainant is pending. As there are case and counter case and it is not possible at this stage to hold as to whether the complainant in respect of Uttara Police Station Case No. 139 of 2022 contained false allegation, this Court is not in a position to entertain the instant revision. Thus, I do not find any merit to admit the instant revision and accordingly, the application is summarily dismissed.

(Bibek Chaudhuri, J.)