

CRR 3540 of 2018

In the matter of : Papiya Bhattacharya

.... Petitioner.

- And -

In the matter of : An application under Section 482 read with
Section 401 of the Code of Criminal
Procedure.

Mr. Tapas Kumar Dey,
Mr. Ashis Kumar Dutta

... For the Petitioner.

Mr. Purnasish Bhuiyan,
Mr. Tarun Kumar Aich

... For the Opposite Party No.2.

This revisional application was filed on December 06, 2018, for quashing of an FIR No.16 dated October 10, 2018, under Sections 354/509/324/341/323/34 of the Indian Penal Code, 1860.

The petitioner appears to be the landlady of the relevant premises and the opposite party no.2 is the daughter-in-law of the tenant. The relevant FIR dated October 10, 2018, was lodged before the Officer-in-Charge of Women Police Station, Amherst Street.

It has been alleged in the FIR by the opposite party no.2 that over a dispute relating to repair of water connection pipe at the premises in question, the petitioner along with her husband and some other persons physically assaulted and abused the opposite party no.2.

It has been submitted by learned advocate, appearing for the opposite party no.2, that the investigating agency, on completion of the investigation, filed a charge sheet under Sections 354/509/341/323/34 of the Indian Penal Code against the petitioner and her husband and

cognizance was also taken by the learned Magistrate in the Court below.

Since the FIR lodged by the opposite party no.2 discloses cognizable offences and the charge sheet has already been filed by the investigating agency, I am not inclined to quash the FIR.

Accordingly, the revisional application being CRR 3540 of 2018 fails and is hereby dismissed.

However, the petitioner will be at liberty to take all points available to him before the learned Magistrate in the Court below in accordance with law.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties on compliance with all the necessary formalities.

(Kausik Chanda, J.)