

D/L11
09.08.2023
Bpg.

C.R.R. 2315 of 2022
With
CRAN 3 of 2023
With
CRAN 4 of 2023

In Re: An application under Section 482 of the Code of Criminal
Procedure, 1973;

Sri Soumyo Brato Das
Versus
The State of West Bengal and another

Mr. Sekhar Basu
Mr. Sandipan Ganguly
Mr. Diptangshu Basu.
...for the petitioner.

Mr. Amit Halder.
...for the opposite party no.2.

Mr. Saswata Gopal Mukherjee, Ld.P.P.
Mr. Saryati Datta.
...for the State.

The present revisional application has been preferred
challenging the continuance of Panchasayar Police Station Case
No.11 of 2022 dated 22.04.2022 which was registered for
investigation under Sections 498A/406 of the Indian Penal Code.

Mr. Saryati Datta, learned advocate appearing for the
State has submitted a report which encloses statement of the
complainant, namely, Shibani Das. She has also made a declaration
concluding part of which reads as follows:

“In case, however, the Hon’ble High Court takes a
view to cancel the said Police Case no.11/22 at this
juncture, the Hon’ble High Court kindly consider

issuance of a simultaneous direction that, in case the dissolution of marriage does not take place within a reasonable time, I would have liberty to restore the said F.I.R/police case no.11 of 2022 for further necessary action in this regard.”

Let the report be kept with the record.

Having considered the statement of the lady, I am not inclined to terminate or quash the proceedings at this stage.

Learned ACJM, Alipore or any other Judicial Magistrate who is in seisin of the matter is directed to immediately prepone the date and frame the charges in this case. The evidence of the complainant, namely, Shibani Das be recorded in evidence.

Petitioner is granted liberty to approach this Court immediately after such evidence is over, in case, the complainant decides not to pursue the present criminal case

With the aforesaid observations, CRR 2315 of 2022 is disposed of.

Pending connected applications, if any, are consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)

