

24.07.2023

Item No.56

Ct.No.34

dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 2279 of 2023

In the matter of : **Prachesta Roy** ... Petitioner.

Ms. Debisree Adhikary ... For the Petitioner.

Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan ... For the State.

Learned advocate appearing for the petitioner is directed to serve a copy of this revisional application upon Mr. Sanjib Kumar Dan, learned advocate, who ordinarily appears for the State. His appointment may be regularised by the concerned authorities.

The petitioner is aggrieved by the factum of her being implicated in the present case in spite of her not being a member of the in-laws family.

I have considered the allegations which are appearing against the present petitioner so far as the prosecution documents are concerned. There are certain overt acts attributed to the present petitioner for which the allegation related to Section 498A of the Indian Penal Code simpliciter may not be applicable, but the other Sections which are there in the charge-sheet may be applicable to her. At this stage when the learned trial court is yet to frame the charges or consider the charges, I am not inclined to express my opinion regarding the applicability of the Sections so far as the present petitioner is concerned. I leave it to the discretion of the learned trial court at the stage of consideration of charges to exercise his own discretion regarding the applicability of the Sections so far as the present petitioner is concerned or

whether at all the allegations in the prosecution papers do make out any offence so far as the present petitioner is concerned.

With the aforesaid observations, the revisional application being CRR 2279 of 2023 is disposed of.

Pending connected application, if any, is consequently disposed of.

All concerned 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 with all requisite formalities.

(Tirthankar Ghosh, J.)