

June 21, 2023
AD -79
Ct. 34
SG

CRR 3233 of 2022

Sanjib Mallick and others
-versus-
The State of West Bengal and another

Mr. Soumitra Deb
Ms. Snigdha Dhar

... for the petitioners.

The subject matter of the revisional application relates to quashing of the charge-sheet which has filed in connection with Basirhat PS Case No.545/21 dated 02.08.2021 under Sections 498A/406/34 IPC.

Learned advocate for the petitioners submits that prior to filing of the present case the lady/de facto complainant filed an application under Section 97 Cr.P.C. wherein she expressed her willingness to stay with her husband. In spite of that the present case has been instituted.

It is submitted that seizures were effected in respect of the articles complained of for which there are allegations under Section 406 IPC.

I have perused the application as well as the contentions of the learned advocate for the petitioners, I do not find that the copies under Section 207 Cr.P.C. have been supplied to the petitioners as the same are not enclosed along with the revisional application.

Having regard to the same, I grant liberty to the petitioners to approach before the trial court under Section 239 Cr.P.C. by taking out appropriate application. If such application is filed, the trial court would consider the same in accordance with law without being influenced by any observation made by this Court while disposing of the present revisional application.

With the aforesaid observations, CRR 3233 of 2022 is disposed of.

Pending application, if any, is consequently disposed of.

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

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

(Tirthankar Ghosh, J.)

