

24.08.2023
Serial no. 31
[G.S.D]

CRR 3676 of 2022

In the matter of : Rajiv Ranjan Kumar & Ors.

... .. Petitioners

Mr. Rameshwar Sinha

Mr. Abhinaba Chatterjee

... *For the Petitioners*

Ms. Faria Hossain

Mr. Anand Keshari

... For the State

The subject-matter of challenge is the continuance of the proceeding arising out of Asansol (S) P.S. Case No. 451 of 2019 dated 5.12.2019 under Sections 406/323/34 of the IPC.

Learned Advocate submits that prior to the present case, another case being Asansol P.S. Case No. 15 of 2019 dated 06.1.2019 was registered for investigation under Sections 498A, 323, 325, 34 of the IPC. In both the cases, charge-sheet have been submitted.

Although the allegations apparently seem to be the same, but there was no recovery in the first case being Asansol P.S. Case No. 15 of 2019 dated 6.1.2019. There has been recovery of properties in the second case being Asansol (S) P.S. Case 451 of 2019 dated 5.12.2019 under

Section 406, 323, 34 of the IPC, wherein charge-sheet has been submitted.

Having regard to the same, I am not inclined to interfere with the continuation of the said proceedings.

Mr. Keshri, Learned Advocate appears for the State.

In view of the nature of the two cases, which arise out of the matrimonial dispute and discord, I direct that both the cases being Asansol P.S. Case No. 15 of 2019 dated 06.1.2019 and Asansol (S) P.S. Case 451 of 2019 dated 5.12.2019 be tried by one and the same Court one after the other and the verdict of both the cases be pronounced together.

With the aforesaid observations, CRR 3676 of 2022 is disposed of.

Pending application, if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court at Calcutta.

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

(Tirthankar Ghosh, J.)