

12.10.2023
Serial no. 75
[G.S.D]

CRR 3710 of 2023

In the matter of : Samir Dey @ Samir Kumar Dey & Anr.
... .. Petitioners

Mr. Soupal Chatterjee
Mr. Bimal Sil
Ms. Sucheta Banerjee

... For the Petitioners

Mr. Arijit Ganguly
Ms. Debjani Sahu

... For the State

The petitioner is directed to serve a copy of this revisional application upon Ms. Debjani Sahu, Id. advocate, who ordinarily appears on behalf of the State. Her appearance may be regularised by the concerned authority.

Ld. advocate for the petitioner submits that on incorrect set of allegations and also upon non-disclosure of incidents, Habra P.S. Case no. 709 of 2023 was registered for investigation on 8th of August, 2023.

Ld. Advocate submits that the petitioner and the private o.p. did enter into an agreement. To that effect, a particular amount was also handed over to the o.p. no.2 and both the parties decided for dissolution of the marriage.

However, the o.p. no.2 back tracked and initiated the instant case which was registered for investigation.

The records of the case reflect that a notice under section 41A of the Cr.P.C. has been issued.

The petitioner would be at liberty to hand over the documents to the investigating officer of the case.

I have considered the allegations in the letter of complaint which is treated to be the First Information Report.

Having regard to the same, I am of the view that, at this stage, it would not be fit and proper to interfere with the investigation which has already commenced on 8th of August, 2023.

If there are change of circumstances, the petitioner would be at liberty to approach this Court. For the time being, let the investigation be allowed to reach its logical conclusion.

With the aforesaid observations, CRR 3710 of 2023 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.)

