

Form J(1)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

Present :

The Hon'ble Justice Bibek Chaudhuri

C.R.R. 4359 of 2022

Nandini Das & Anr.

Vs.

The State of West Bengal & Anr.

**For the petitioner : Ms. Minal Palana, Adv.
Ms. Afreen Perveen, Adv.**

Heard on : 19.04.2023.

Judgment On : 19.04.2023.

Bibek Chaudhuri, J.

A landlord tenant dispute has been brought to the criminal court at the instance of the landlord by filing an FIR on 22nd April, 2021 alleging, *inter alia*, that on 9th April, 2021, the petitioners illegally entered into the room of the de-facto complainant and assaulted him with fist, blows, kicks and sticks. They also outraged the modesty of the de-facto complainant. Over the said allegation a case under Sections 448/323/324/354/114 of the Indian Penal Code was registered and police submitted charge sheet against the accused persons.

I have perused the documents annexed by the petitioners which they received under Section 207 of the Code of Criminal Procedure after filing of the charge-sheet. On perusal of the document I find that the de-facto

complainant received an injury on her cheek on 19th April, 2021 and she was medically examined and treated at the Medical College and Hospital, Calcutta. The statement of the daughter of the de-facto complainant was recorded which disclosed a prima facie case under Section 354 of the Indian Penal Code.

Considering all such materials, I am not in a position to hold that a civil dispute between the landlord and tenant has been attempted to be given a criminal colour.

Considering such aspect of the matter, I do not find any merit in the instant revision.

Accordingly, the revision is dismissed.

(Bibek Chaudhuri, J.)

**Mithun De/
A.R. (Ct).
SI No.15.
D/L.**