

Form J(1)

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

**Present :
The Hon'ble Justice Bibek Chaudhuri**

C.R.R. 4494 of 2022

***Plaban Kabiraj
Vs.
Soumi Das & Ors.***

For the petitioner : Mr. Pradipta Nath, Adv.

Heard on : 13.03.2023

Judgment On : 13.03.2023.

Bibek Chaudhuri, J.

The petitioner is the accused in connection with Suri Women Police Station Case No.19 of 2021. He has prayed for quashing of charge-sheet under Sections 376/417/354(D)/506 of the Indian Penal Code on the following grounds:-

(1) In her written complaint the de-facto complainant stated that she had love relationship with the petitioner since March, 2020 but in her statement under Section 164 of the Code of Criminal Procedure, she stated that she came to know the petitioner only in 2020. Therefore, the petitioner made contradictory statement in her written complaint and

statement under Section 164 of the Code of Criminal Procedure;

(2) The wife of the petitioner was examined under Section 161 by the Investigating Officer where she stated that she was subjected to physical and mental torture by her husband since 2018. Subsequently she came to know that her husband maintained relationship with the de facto complainant.

However, after filing of the charge-sheet, the wife of the petitioner had sworn an affidavit denying such statement recorded under Section 161 of the Code of Criminal Procedure.

These grounds cannot be taken and accepted as the grounds for quashing of a criminal case under Section 482 of the Code of Criminal Procedure.

The grounds submitted by the learned Advocate for the petitioner does not fall within the seven celebrated categories initiated in Bhajanlal's case. Therefore, I do not find any merit in the instant revision and accordingly, the instant revision is summarily dismissed.

(Bibek Chaudhuri, J.)

**Mithun De/
A.R. (Ct).
SI No.25.**

D/L.