

11.12.2023
Serial no. 276
[G.S.D]

CRR 4574 of 2023

In the matter of : Priyabrata Ghosh

... .. Petitioner

Mr. J. Alam

... For the petitioner

Ms. Sima Biswas

... for the State

The petitioner is directed to serve upon Ms. Sima Biswas, Id. Advocate, who ordinarily appears on behalf of the State. Her appearance may be regularized by the concerned authority.

Ld. advocate for the petitioners submits that the petitioner happens to be the father-in-law who has been falsely implicated in connection with the instant case. There are nothing in the statement under section 161 of the Cr.P.C. which would implicate the present petitioner. To that effect, statement under section 161 of the cr.p.c. of the victim lady has been enclosed and the attention of the court has been drawn.

I have perused the F.I.R. where there is specific contention against the present petitioner. Further, the present case was instituted in the year 2019, charge-sheet

was submitted after completion of investigation and, charge was framed in the year 2021. After more than two years, the petitioner approached this court for quashing of the proceedings.

Having considered the belated plea and the specific allegation made by the defacto complainant until and unless prosecution witnesses are examined, no opinion can be given regarding the innocence of the present petitioner.

Accordingly, the petitioner is granted liberty to canvass all the points at the appropriate stage of the proceedings particularly in course of the trial. No interference is made by this court in view of the allegations made in the FIR and the other materials.

With the aforesaid observations, CRR 4574 of 2023 is disposed of.

Pending application, if any, is also disposed.

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

