

03.10.2023

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CRR 3939 of 2014

In the matter of : Mershad Ali.

.... petitioner.

The learned advocate for the petitioner submits to have lost contact with the petitioner. Vide order dated 26.06.2023 the petitioner was present before the Court and personal appearance was noted and dispensed with. Today, none appeared for the petitioner nor the advocate-on-record. According to the submission of the learned advocate for the petitioner did not contact thereafter.

The instant revisional application has been filed by the husband/petitioner for quashing of the proceeding in connection with G.R. Case No. 600 of 2013 pending before the learned Additional Chief Judicial Magistrate, Rampurhat arising out of Nalhati Police Station Case No. 173 dated July 18, 2013 under Sections 498A/316 of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act.

Perused the complaint filed by the opposite party No. 2 which *inter alia* stated that the opposite party No.2 being the wife of the petitioner was driven out of her matrimonial home and was subjected to physical torture and was assaulted to the extent that she had miscarriage of her child during hospitalization. The charge-sheet in the instant case has been

filed vide Charge-sheet No. 259 dated November 17, 2013 under Section 498A of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act.

There are sufficient triable issues to be determined on the recording of evidence and as such this Court does not inclined to interfere with the same.

Accordingly, the instant revisional application is dismissed.

Copy of the order be sent to the trial court for information.

(Ananya Bandyopadhyay, J.)