

07.05.2024
Sl.No. 38
Ct. 32
Amalranjan

In The High Court At Calcutta
Criminal Revisional Jurisdiction
Appellate Side

CRR 895 of 2018

Salma Bibi and ors.
Vs.
The State of West Bengal and anr.

Mr. Debasish Roy, ld. PP
Ms. Anasuya Sinha
Ms. Rajnandini Das.....for the State

Nobody appears on behalf of the petitioners on call.
Even on earlier occasion no one represented the petitioners,
no accommodation sought for.

This case record is taken up for disposal on merit
considering the nature of prayer and to avoid further delay as
the case pertains to the year 2018.

Learned advocate appearing for the State produced
the case diary and submits that the petitioners have filed this
revisional application for quashing of the first information
report.

In the instant case, investigation has already been
concluded and finally chargesheet has been submitted being
chargesheet no. 452 of 2018 dated 7.10.2018 under sections
341/323/325/354/34 IPC against all five accused
persons/petitioners, when it was found sufficient materials
against all the accused persons and the materials collected
during investigation establishes prima facie case against
them.

As such, this case has no merit and liable to be dismissed.

It is further submits that the next date is fixed on 1st of July, 2024 for framing of charge.

Having heard the submission of the learned advocate and on perusal of the case diary, application as well as annexures thereto this court finds that on 22.01.2018 at about 10.20 hours a complaint was lodged by one Ali Haidar Mandal with an allegation against Salma Bibi, Nazrul Islam, Enamul Haque, Chayra Banu Bibi and Julfikkar Mondal @ Julu to the effect that the complainant has a landed property measuring an area one Satak at Hatiara Mouza, Dag no. 916. When the complainant want to look after his land at that point of time the accused persons threatened him not to use the path and also threatened to murder him. Initially a G.D. Entry has lodged at New Town PS over the said incident on 16.12.2017. After getting such information by the accused persons, the accused persons became furious and when the complainant going through the Hatiara Purba Para Road, the alleged accused persons had attacked him conjointly with iron Rod and bamboo sticks with an intention to kill him on 16.12.2017 at about 16.30 hours. The accused persons had also beaten up the complainant randomly with iron rod and bamboo sticks, as a result he sustained severe injuries, bone of his nose was broken. It is further alleged that the accused persons also taken away Rs. 5000/- from the complainant. At the same time when the wife of the complainant came to

the spot to rescue the complainant, the accused persons molested her by disrobing her. Accordingly, a case was registered vide New Town PS case no. 27/2018 dated 22.01.2018 under sections 147/148/354B/379/341/325/326/34 of the IPC. After completion of investigation, a chargesheet was submitted against all the accused persons under sections 341/323/325/354/34 of the IPC.

It appears from the case diary that statement under section 161 of the Criminal Procedure Code were recorded and also collected the medical documents of the injured person.

Upon perusal of those statements as well as the medical documents it reveals prima facie case has been established against the accused persons under sections 341/323/325/354/34 of the IPC.

Under such circumstances, this court does not find any sufficient grounds or reasons to quash the first information report vide New Town PS case no. 27/2018 dated 22.01.2018 corresponding G.R. case no. 190 of 2018 under sections 147/148/354B/379/341/325/326/34 of the IPC.

Hence, the instant revisional application has devoid of merit.

Accordingly, the revisional application being **CRR 895 of 2018** is, thus, dismissed without any order as to costs.

The interim order, if any, stands vacated.

Let the order be communicated to the Ld. Court below for information and taking necessary action in accordance with law.

Liberty is granted to all parties to act in terms of the copy of this order downloaded from the official website of this court.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties taking all legal formalities.

C.D. be returned to the learned counsel appearing on behalf of the State.

(Ajay Kumar Gupta, J.)