

14.03.2024

Item No.39
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 1050 of 2024

In the matter of : **Sanjib Kumar Majumdar & Ors.**
... Petitioners.

Mr. Swapan Kumar Mazumdar,
Mr. Saptarshi Mazumdar ... For the Petitioners.

Petitioners are aggrieved by the manner in which there has been initiation of Kharagpur Town Police Station Case No. 270 of 2023 by way of invoking the provisions of Section 156(3) of the Code of Criminal Procedure.

Learned advocate appearing for the petitioners submits that there is complete abuse of the process of the court and the complainant has usurped all the funds of the husband who was in Army and thereafter has harassed him along with his family members by foisting him with number of cases including under Section 125 of the Code of Criminal Procedure which was dismissed by the learned Magistrate and the case which refers to incident when the petitioner's presence at the spot was itself doubtful.

Be that as it may, the investigation of the case is under progress. As has been submitted that the petitioners have been granted bail/anticipatory bail. Having considered the fact that the investigation has been continuing for more than nine months, I am of the view that the petitioners would be at liberty to approach this Court after the report under Section 173 of the Code of Criminal Procedure has been filed and the

documents under Section 207 of the Code of Criminal Procedure are supplied to them.

I further direct that in case all the documents which have been enclosed along with this revisional application are handed over to the investigating officer of the case, the investigating officer before submitting the report would take the documents into consideration before filing the charge-sheet/report under Section 173 of the Code of Criminal Procedure.

With the aforesaid observations, the revisional application being CRR 1050 of 2024 is disposed of.

Pending connected application, if any, is consequently disposed of.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)