

19.03.2024

69

cm

CRR 1209 of 2011

In the matter of : Basanti Goswami & Ors.
.... petitioners.

The instant revisional application has been filed for quashing of the proceeding being C Case No. 187 of 2011 pending before the learned Metropolitan Magistrate Court Kolkata under Section 448, 504(II) and 34 of the Indian Penal Code.

Perused the contention of the petition and the relevant documents on record whereby it appears that the dispute between the parties arise out of the execution of will. The dispute between the parties is civil in nature and the complaint does not disclose any cognizable offence. To allow to continue with criminal case will result in the abuse the process of law since the grievance between the parties can be resolved through a civil court of competent jurisdiction.

Under such circumstances, the instant revisional application is disposed of.

Accordingly, the aforesaid proceedings being C Case No. 187 of 2011 pending before the learned Metropolitan Magistrate Court Kolkata under Section 448, 504(II) and 34 of the Indian Penal Code is quashed qua the present petitioners.

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

(Ananya Bandyopadhyay, J.)

