

23.04.2024
Item No.128
Ct.No.34
dc.

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

C.R.R. 1595 of 2024

In the matter of : **Sri Tanmoy Saha & Ors.** ... Petitioners.

Mr. Tanmay Chowdhury,
Ms. Ritoprita Ghosh ... For the Petitioners.

The petitioners have challenged the continuation of the proceedings being Serampore Women Police Station Case No. 37 of 2023 dated 04.08.2023 which was registered for investigation under Sections 498A/406 of the Indian Penal Code. The investigating agency on conclusion of investigation submitted charge-sheet under the same sections.

Learned advocate appearing for the petitioners has referred to different documents to substantiate the opposite party no.2 on her own, left the matrimonial home and thereafter foisted the husband and parents-in-law with the criminal case.

I have considered the statement under Section 161 of the Code of Criminal Procedure and having taken into account the same, I am of the view that the petitioners would first canvass the points before the learned trial court at the stage of consideration of charges. Accordingly, if the petitioners prefer an application under Section 239 of the Code of Criminal Procedure before the learned trial court, the learned trial court would dispose of the same in accordance with law without being influenced by any observations made by this Court.

Needless to state that the observations made above are restricted for the disposal of the present revisional application and do not have a bearing on the merits of the case as a whole.

With the aforesaid observations, the revisional application being CRR 1595 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.)