

02.05.2024

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Ct. No. 34

KAUSHIK

C.R.R. 1812 of 2024

In Re. Dipankar Chakraborty & Anr.

... petitioners

Ms. Tuli Sinha

..... for the petitioner.

Petitioner has challenged the continuance of Technocity Police Station Case No. 15 of 2024 dated 14th January, 2024 wherein the Investigating Agency on conclusion of investigation submitted charge-sheet under Sections 498A/323/325/307/497/406/506/34 of the Indian Penal Code and Section 4 of the D.P. Act.

I have considered the statement recorded under Section 207 of the Code of Criminal Procedure.

Learned advocate for the petitioners canvassed that the petitioners are innocent and they have been falsely implicated in the instant case. On perusal of the injury report and the applicability of Section 307 of the I.P.C. it has been submitted that there were no grievous injuries, which were inflicted upon the victim.

On an assessment of the documents under Section 207 of the Cr.P.C., I am of the view that there is a consistent physical and mental torture for further demand of dowry. So far as the sections which are concerned, the same may be considered by the learned Trial Court at the stage of consideration of charges I

grant liberty to the petitioner to take out an application under Section 227 of the Cr.P.C. before the learned Trial Court. The learned Trial Court would independently assess regarding the merits of the case and arrive at its own conclusion as to whether charges should be framed or not. No interference is made by this Court.

With the aforesaid observations, the revisional application being CRR 1812 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.)