

19.06.2024

15

jb.

jdt.

C.R.R. 1841 of 2024

In Re : Sk. Rafikul Islam & Ors.

... Petitioners.

Re: An application under Section 482 read with Section 401 of the Code of Criminal Procedure.

Mr. Kallol Mondal

Mr. Krishan Ray

Mr. Souvik Das

Mr. Anamitra Banerjee

...For the Petitioners

Mr. Suman De

Mr. Kaustav Banerjee

... For the State

Affidavit of service filed on behalf of the petitioners is taken on record.

Learned counsel for the petitioners seeks quashing of proceeding being G.R. Case no. 704 of 2024 arising out of Panskura Police Station case no. 222 of 2024 dated 4th March, 2024 primarily on the ground that there is no ingredient of offence under Section 307 of the Indian Penal Code against the petitioners and the entire family of the petitioners have been falsely implicated due to property dispute between the parties. The petitioners lodged a complaint against the opposite parties earlier and the present complaint has been lodged in retaliation to the earlier complaint.

Learned counsel for the State produces the case diary and submits that investigation of the case is still in progress.

Since investigation is in progress and charge-sheet is yet to be submitted, it shall be premature to decide at this stage whether allegation under Section 307 of the Indian Penal Code lie against the petitioners.

The revisional application being premature, is liable to be dismissed.

However, the petitioners are at liberty to surrender before the learned trial Court and seek bail.

In the event the petitioners surrender before the learned trial Court within 15 days from date, learned trial Court shall consider their application, in accordance with law.

C.R.R. 1841 of 2024 is dismissed.

Case diary be returned.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)