

CRR 2377 of 2019

**Rakesh Karan & Ors.
Vs.
The State of West Bengal & Anr.**

For the Petitioners : Ms. Sananda Bhattacharyya.

For the State : Mr. Rana Mukherjee,
Ms. Rita Datta.

For the Opposite Party No. 2 : None.

1. Affidavit-of-service showing due service is file. In spite of due service there is no representation on behalf of the opposite party no. 2.
2. The present revisional application has been preferred praying for quashing of the proceeding being G.R. Case No. 144 of 2013 arising out of Nayagram P.S. Case No. 09/13 dated 12.03.2013 under Sections 498A/323/494/506/34 of the Indian Penal Code giving rise to charge-sheet being no. 47 of 2013 dated 27.08.2013.
3. From the materials on record it appears that the petitioner no. 1 is the husband of the de facto complainant/opposite party no. 2. The petitioner no. 2 is the father-in-law of the de facto complainant. Petitioner no. 3 is the mother-in-law of the de facto complainant. Petitioner no. 4 is the alleged second wife of the petitioner no. 1 and petitioner no. 5 is the maternal uncle of the petitioner no. 2.

4. On being directed a complete case diary along with the supplementary charge-sheet has been filed before this Court.
5. Considering the materials on record and the case diary, it appears from the supplementary charge-sheet that the voter's I.D. Card in respect of the opposite party no. 2 shows that the petitioner no. 1 is her husband. It also appears that the opposite party no. 2 and the petitioner no. 1 have a son who is now aged about 18 years. The said information appears from the records of the school, where the child studies and these are the enrolment details of the son Indranil Karan. The father's name is also shown as Rakesh Karan, the petitioner no. 1, herein.
6. On perusal of the allegations as made in the written complaint and the materials in the case diary, this Court finds that there is sufficient materials on record for the offences as alleged in respect of the petitioner no. 1 Rakesh Karan, petitioner no. 3 Sanchita Karan, petitioner no. 4 Amita Patra @ Karan and petitioner no. 5 Rupam Mahakul.
7. **Accordingly, the prayer for quashing of the proceeding in respect of the petitioner nos. 1, 3, 4 and 5 stands dismissed.**
8. **The trial Court to proceed with the trial in respect of the petitioner nos. 1, 3, 4 and 5.**
9. The proceeding being G.R. Case No. 144 of 2013 arising out of Nayagram P.S. Case No. 09/13 dated

12.03.2013 under Sections 498A/323/494/506/34 of the Indian Penal Code ending in a charge-sheet being no. 47 of 2013 dated 27.08.2013 **is quashed in respect of petitioner no. 2, Dipankar Karan.**

10. The present revisional application is accordingly disposed of.

11. All connected applications, if any, stand disposed of.

12. Interim order, if any, stands vacated.

13. Let a copy of the order be sent to the learned trial court for compliance.

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

(Shampa Dutt (Paul), J.)