

25.11.2024
Serial no.DL/13
Asraf
Ct. No. 30

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

CRR 3321 of 2022
with
CRAN 2 of 2023
CRAN 6 of 2024

PIYUSH JAIN
VS.
THE STATE OF WEST BENGAL & ANR.

Mr. Uday Sankar Chattopadhyay
Ms. Trisha Rakshit
Ms. Bidisha Chakraborty
.....for the petitioner

Mr. Suman De
Mr. Sachit Talukdar
.....for the State

Mr. Souvik Mitar
Mr. Avik Ghatak
Mr. Amit Ranjan Pati
.....for the opposite party no.2

1. The present revisional application has been preferred praying for quashing of the chargesheet being Chargesheet no.275 of 2022 dated July 26, 2022 in connection with Raniganj PS case no.285 of 2022 dated May 14, 2022 corresponding to GR case no.1603 of 2022 under Section 406 of the Indian Penal Code (IPC) pending before the Chief Judicial Magistrate, Paschim Bardhaman.
2. The dispute in the present case is a matrimonial dispute between the parties. The allegations in respect of Section 406 of the IPC relates to

the allegation that the complainant's stridhan articles were retained by the petitioner herein and having not been returned the allegations against the petitioner was made under Section 406 of IPC.

3. The petitioner states that on June 17, 2022 the police came to the house of the petitioner at Jaipur and the petitioner voluntarily gave all articles, which had been given by the father of the opposite party no.2, as well as the relatives of both families to the investigating officer, and the investigating officer prepared three seizure lists, all dated June 17, 2022. In the written complaint, the opposite party no.2 had mentioned a total of 42 items, but the petitioner gave 48 items, more than the said number, as appeared from the said three seizure lists.
4. It is submitted by the learned counsel for the State in presence of the opposite party no.2 and the petitioner, by filing case diary that all the articles seized by the investigating officer have been duly received by the de facto complainant. On perusal of the said document and the materials on record, this Court finds that at this stage, it will be an abuse of process of law to continue the proceeding under the revision under the offences alleged.
5. Accordingly, the instant revisional application is disposed of upon quashing the aforesaid chargesheet being Chargesheet no.275 of 2022 dated July 26, 2022 in connection with Raniganj PS case no.285 of 2022 dated May 14, 2022 and proceeding being GR case no.1603

of 2022 under Section 406 of the Indian Penal Code (IPC) pending before the learned Chief Judicial Magistrate, Paschim Bardhaman.

6. CRR 3321 of 2022 is thus disposed of.
7. All applications connected thereto, if any, stand disposed of.
8. Interim order, if any, stands vacated.
9. Let a copy of this order be sent to the learned Trial Court for compliance.
10. Urgent photostat certified copy of this order, if applied for, be supplied to the parties as expeditiously as possible after compliance of legal formalities.

[Shampa Dutt (Paul), J.]