

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

30.09.2024
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C.R.R. No. 3473 of 2024

In Re : Gyanendra Kumar Tripathipetitioner

Ms. Monika Kalra
Mr. Shatadru Lahiri
Ms. Prerana Vishwas

..... for the petitioner

1. Learned Counsel for the petitioner submits allegation of physical assault by attempting to throttle opposite party no. 2 is not sustainable. No medical paper in support of such accusation had been placed on record. Allegation of bigamy was also not found sustainable.

2. We have considered the allegations in the impugned charge-sheet in the light of the aforesaid submissions. In the charge-sheet it is alleged petitioner had married opposite party no. 2. Allegations of mental torture are general and omnibus. Though it is alleged on 26.03.2014 petitioner attempted to throttle opposite party no. 2, no medical evidence was placed on record to sustain either the allegation of attempt to murder or grievous hurt. Investigation also does not reveal cogent materials disclosing essential ingredients of the offence of bigamy. Given this situation, I am not inclined to admit the petition.

3. Let this matter appear under the heading “Contested Application” four weeks after Puja Vacation.

4. There shall be stay of operation of the proceedings in of SC Case No. 595 of 2019 in connection with G.R. 280 of 2014 corresponding to Bidhannagar (South) Police Station Case No. 61 dated 27.03.2014 under Sections 341/325/307/494/506/34 of the Indian Penal Code pending before the learned Additional District & Sessions Judge, Fast Track 4th Court, Barasat, North 24 Parganas, for a period of six weeks after Puja Vacation or until further orders, whichever is earlier.

5. Liberty is given to the parties to pray for extension and/or vacation and/or modification of this order upon notice to the other side.

6. Urgent photostat certified copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Joymalya Bagchi, J.)