

04.10.2024
Item No. 6
SG

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

C.R.R. No. 3572 of 2024

In the matter of : Ranadeep Das and Ors.petitioners

Mr. Shibaji Kr. Das
Mr. Dipendu Sarkar
Ms. Deblina De

..... for the petitioners

1. Petitioner submits his wife was suffering from psychiatric ailments and he instituted a suit for divorce. In retaliation impugned criminal proceeding has been initiated.
2. I have considered the aforesaid submission in light of the allegations in the impugned FIR. In the FIR it is alleged petitioner no. 1-husband had an illicit relation with Sumita Saha. Opposite party no.2-wife was subjected to cruelty and ill-treatment on such score. She was also compelled to live separately. Her husband tried to commit suicide in January, 2024. It is also pleaded therein a divorce proceeding had been instituted by her husband. On 30th March, 2024 when she went to the matrimonial home she was physically assaulted and admitted to Raiganj Government Medical College and Hospital.
3. I note the principal allegation relates to assault upon the opposite party no. 2-wife after the institution of the divorce proceeding. Hence, present criminal proceeding cannot be treated as a counter blast to the said divorce proceeding.

4. In such view of the matter I am not inclined to interfere with the criminal proceeding. It is open to the petitioners to agitate the issues canvassed herein at the appropriate stage of the proceeding including the stage for consideration of charge.
5. Accordingly, CRR 3572 of 2024 is disposed of.

(Joymalya Bagchi, J.)