

05.10.2024
Item No. 5
SG

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

C.R.R. No. 3599 of 2024

In the matter of : Nandan Singh and Ors.petitioners

Mr. Abhinaba Dan

..... for the petitioners

1. Petitioners contend earlier criminal proceeding under section 498A instituted by opposite party no. 2 had ended in final report. Hence, allegation of cruelty over demand of dowry in the impugned proceeding is patently.
2. I have considered the allegations in the impugned proceeding under the Protection of Women from Domestic Violence Act, 2005. Earlier police report was submitted in June, 2023. In paragraph 8 of the impugned petition it is alleged on 25.07.2023, that is, after the submission of the police report, petitioner no. 1 had demanded Rs.10,00,000/- and thereafter, petitioners had physically assaulted the victim over non-payment of the amount. It is also alleged opposite party had not been given any monetary assistance.
3. Given these circumstances, I am of the opinion submission of the earlier final report does not render the allegations in the petition under the Protection of Women from Domestic Violence Act, 2005 patently absurd or improbable. No jurisdictional error in instituting the proceeding is made out. It is open to the

petitioners to agitate their defence canvassed herein at the appropriate stage of the proceeding.

4. Accordingly, CRR 3599 of 2024 is disposed of.

(Joymalya Bagchi, J.)