

02.04.2024

Sl. No. 22

BR

CRR/2935/2017

In the matter of : **Partha Pratim Chaudhuri.**

Nobody appears on behalf of either of the parties on call. Even on earlier occasion no one represented the petitioner. No accommodation sought for.

The case pertains to year 2017. The matter is taken up for disposal on merit to avoid further delay since the matter has been pending since 2017.

The brief fact of the instant case is relevant for disposal of the instant case. The opposite party no. 2 being the wife of the petitioner lodged a written complaint against the husband, mother-in-law and father-in-law to the effect that she married in the year 2004. There marriage was performed as Hindu rites and customs. At the time of marriage dowry was given as per demand of the accused persons but after the marriage she was subjected to torture physically and mentally both by the husband as well as in-laws. Out of the said wedlock one female child was born. Thereafter, father-in-law and mother-in-law always insulted her and used abusive languages like beggar, dog and beasts etc. Upon such written complaint a case was registered as Uttarpara Police Station Case No. 327/2017 dated 18.04.2017 under Sections 498A/325/504/506 of the Indian Penal Code. It is the contention of the petitioner that entire allegation is false and fabricated. They are no way connected with the offence as alleged by the wife/opposite party no. 2. She has lodged the complaint falsely.

Under such circumstances, this instant case has come up before this Court for disposal. Upon perusal of the application and annexures thereto like FIR and Charge-sheet it reveals the opposite party no. 2 is the legally wife of petitioner/accused Partha Pratim Chaudhuri. From the perusal of the FIR it appears that the husband as well as in-laws being physically and mentally tortured her on the demand of dowry as well as she gave a birth of female child. They also beaten her and she suffered head injury with blood on 07.05.2008 at 2.00 P.M. and she was treated in Arougya Niketan Nurshing Home, Uttarpur. Doctor stitches the injury suffered by her. They also used to abuse languages like beggar, dog and beast. Upon such complaint an FIR was lodged against the husband and in-laws and subsequently after conclusion of investigation a prima facie case has been established against the petitioner and other in-laws under Sections 498A/323/504/506 of the Indian Penal Code and a charged-sheet was submitted vide CS No. 470/2017 dated 08.06.2017 under Sections 498A/323/504/506 of the Indian Penal Code. This Court is also satisfied that the complaint lodged by the complainant made allegations which are cognizable and ingredients of those offences are also available in the FIR. Not only that after investigation a prima facie case has been established against the petitioner and other in-laws.

Under such circumstances, this Court do not find any merit in the instant revisional application. Consequently, CRR/2935/2017 is thus dismissed, however, no order as to costs.

Interim order, if any, is hereby vacated.

Let a copy of this order be communicated to the Court below for information and taking necessary action in accordance with law.

Urgent xerox certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Ajay Kumar Gupta, J.)