

20.03.2024
Serial no. 78
[G.S.D]

CRR 4238 of 2023

In the matter of : Sourav Samanta

... .. Petitioner

Mr. J. N. Sarkar

... for the petitioner

Ld. Advocate for the petitioner submits that the petitioner has emphasized on the fact apart from the present case, which is under challenge being Daspur P.S. Case No. 64 of 2022 dated 17.2.2022. Another case being Daspur P.S. Case No. 500 of 2021 dt. 27.10.2021 was initiated at the instance of Bharati Samanta.

The facts of both the cases are distinct and different while in Daspur P.S. Case No. 500 of 2021 dt. 27.10.2021, the said Bharati Samanta was the victim. In Daspur P.S. Case No. 64 of 2022, the daughter of the said complainant happens to be the victim.

Having regard to the relevancy of the issues and the mala fide so canvassed, I am of the view that the same can be considered at the stage of trial and cannot be a ground for quashing.

Accordingly, no interference is made in the instant case. The Id. Trial court/special court will proceed in accordance with law.

With the aforesaid observations, CRR 4238 of 2023 is **dismissed.**

Pending application, if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)