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13.05.2024
Ct. No.3
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**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Criminal Revisional Jurisdiction
Appellate Side**

CRR No. 61 of 2023

CHANDAN BHUIYA

-VS-

STATE OF WEST BENGAL AND ANR

Mr. Aditi Shankar Chakrabroty, Adv.

Mr. Ujjwal Luksom, Adv.

...for the State

None appears on behalf of the petitioner.

Mr. Aditi Shankar Chakraborty, learned counsel, is
appearing for the State.

The matter was listed on 13th October, 2023, 6th
December, 2023 and 25th April, 2024 but on all the dates
none appeared on behalf of the petitioner. Today also
when the matter is called, none appears on behalf of the
petitioner. No accommodation is sought for.

The petitioner has filed the present application
under Section 482 of the Code of Criminal Procedure for
quashing of criminal proceeding pending before the
Learned Chief Judicial Magistrate, Coochbehar, arising out
of GR Case No. 267 of 2009 corresponding to Kotwali

Police Station case no. 269 of 2009 for the offence under Section 498A of the Indian Penal Code.

This Court finds that on receipt of the complaint from the wife of the petitioner, police has investigated the matter and after the investigation, charge sheet has been filed for the offence under Section 498A of the IPC.

The petitioner has filed the present application for quashing of the criminal proceeding only on the ground that a false case has been initiated against the petitioner and there is a long gap between the commencement of the alleged offence and initiation of the criminal proceeding.

This Court has considered the application filed by the petitioner and the charge-sheet.

After going through the charge-sheet and the application, this Court does not find any merit in the application for quashing of the criminal proceeding initiated against the petitioner.

Accordingly, CRR/61/2023 is dismissed.

Interim order passed by this Court dated 10th August, 2023 is hereby vacated.

The Learned Trial Court is directed to proceed with the criminal proceeding initiated against the petitioner in accordance with law.

(KRISHNA RAO, J.)