

CRR 886 of 2025

**Tarak Nath Das & Ors.
Vs.
The State of West Bengal & Anr.**

Mr. Moyukh Mukherjee
Mr. Pritam Roy
Ms. S. Banerjee
Ms. A. Bazaz

... ... for the petitioners

1. The instant criminal revision has been preferred for quashing a proceeding being G.R. Case No.861 of 2018 in connection with New Town Ship Police Station Case No.68 of 2018 dated 18.06.2018 under Sections 323/327/379/341/452/506/120B/34 of the Indian Penal Code.
2. It has been contended by the learned counsel for the petitioners that the petitioners are the landlords and de facto complainant is tenant. The tenant has lodged a false complaint against the present petitioners, on the basis of which, G.R. Case has been initiated. In the criminal case, police has conducted perfunctory investigation and submitted a charge-sheet against the present petitioners. Learned counsel for the petitioners has placed the criminal revision before this Court for quashing the entire criminal proceeding.
3. Learned counsel further argued that the instant case is pending since long and the de facto complainant is not

turning up. Thus, the present petitioners are facing the charges without their fault. They prayed for necessary order.

4. Having heard the learned counsel for the parties and considering the matter that the investigating of the police has already ended in charge-sheet. The police has placed some materials before the learned Magistrate which has to be evaluated by the Magistrate concerned. However, I understand that the present petitioners are facing pendency of the criminal case and the warrant of arrest against the de facto complainant is pending.
5. I make it clear that this Court being a revisional Court has limited jurisdiction to entertain the prayer of quashing. There are materials in the charge-sheet against the present petitioners which can only be evaluated by the learned Magistrate concerned. However, as the de facto complainant is not turning up and warrant of arrest is pending against the de facto complainant the learned Magistrate concerned can take appropriate steps so that the matter can be disposed of as early as possible.
6. In the above observations, the instant criminal revision be disposed of with a direction to the learned Magistrate concerned to take appropriate steps according to law so that the instant proceeding may be conclude as early as possible, most preferably within three months from date.

7. I make it clear that this Court has not entered into merits of this matter. The learned Magistrate concerned shall dispose of the criminal proceeding according to law and if it appears to the learned Magistrate that the de facto complainant is purposefully not turned up, he shall pass such necessary order and shall take such necessary steps so that the order of the Court may be complied with in its true letter and spirit.

8. Accordingly, CRR 886 of 2025 is disposed of.

(Subhendu Samanta, J.)