

C.R.R. 1347 of 2025

Dr. Dipak Shankar Roy
Vs.
The State of West Bengal & Anr.

Ms. Malabika Saha
Ms. Ahipha Khan ...for the Petitioner

Ms. Baisali Basu
Ms. Baishakhi Chatterjee ...for the Opposite party

Petitioner herein has sought for quashing of charge sheet in ACGR 2417 of 2023 filed under Section 498A of the IPC in Parnasree Police Station Case No. 211 of 2023 dated 20.5.2023.

The opposite party No. 2 herein lodged an FIR against the present petitioner and one brother of the petitioner and on the basis of said FIR, the Parnasree Police Station Case No. 211 of 2023 was started. After completion of investigation Police has submitted charge sheet against the present petitioner only under Section 498A of the IPC on 1st July, 2023.

It further appears that the petitioner herein had previously moved an application, being C.R.R. 2559 of 2023 where the petitioner/husband had sought for quashing of the FIR. During pendency of the said proceeding the police submitted charge sheet on 1st July, 2023. However, thereafter on 17.7.2023, while disposing of the said application, being C.R.R. 2559 of 2023, a co-ordinate Bench of this Court made following observation :-

“the petitioner would be at liberty to exhaust other remedies available under the law but so far as the factual

assumptions are concerned, at this stage, it is not possible for this Court to hold that no case has been made out”.

In view of such unchallenged observation, this application, being C.R.R. 1347 of 2025 is hereby disposed of by giving liberty to the petitioner to agitate all his points sought to be agitated herein, before the Trial Court at the time of charge hearing or at any subsequent appropriate stage thereafter.

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

(Dr. Ajoy Kumar Mukherjee, J.)