

IN THE HIGH COURT AT CALCUTTA

CRIMINAL REVISIONAL JURISDICTION

APPELLATE SIDE

Present :

The Hon'ble Justice Jay Sengupta

CRR 1379 of 2025

DEBJYOTI GHOSH @ DEBAJYOTI GHOSH & ORS.

Versus

THE STATE OF WEST BENGAL & ANR.

**For the Petitioners : Mr. Bibek Chatterjee
Ms. Paramita Sahu
Mr. Tanmoy Chakraborty
Ms. Susmita Saha
Mr. Akash Das
.....Advocates**

**For the State : Mr. Debasish Roy, Public Prosecutor
Mr. Saryati Datta
Mr. Dattatreya Datta
.....Advocates**

Lastly heard on : 14.05.2025

Judgment on : 14.05.2025

Jay Sengupta, J. :

1. This is an application for quashing of a proceeding in G. R. Case no.1365 of 2021 arising out of Khanakul Police Station Case No.445 of 2021 dated 19.11.2021 under Section 498A of the Indian Penal Code, 1860.

2. Affidavit of service filed on behalf of the petitioners is taken on record. Despite service no one appears on behalf of the opposite party no.2.
3. Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the husband and the parents-in-law of the alleged victim / de facto complainant. General allegations have been leveled against the present petitioners. No prima facie case is made out against the petitioners as would be evident from a plain reading of the First Information Report and the Chargesheet. Any further continuation of the impugned proceeding shall be an abuse of process of Court.
4. Learned counsel appearing on behalf of the State opposes the prayer for quashing, relies on the case diary and submits as follows. The First Information Report, the statements contained in the case diary and the other materials collected during investigation clearly make out a prima facie case against the present petitioners. The contentions of the petitioners relate to disputed questions of fact which cannot be decided in a revisional application.
5. It appears from a careful perusal of the First Information Report, the chargesheet and the materials available in the case diary that a prima facie case is made out against the present petitioners.

6. The contentions of the petitioners relate purely to disputed questions of fact, which can best be dealt with by the learned Trial Court.
7. Therefore, I do not find any reason to interfere with the impugned proceeding.
8. Accordingly, the instant revisional application is dismissed.
9. However, there shall be no order as to costs.
10. The petitioners shall, nevertheless, be permitted to take up all the points available to them including the points taken up herein and the learned Trial Court shall not be swayed by any observation made by this Court.
11. The Trial Court is requested to conclude the proceeding at the earliest and in accordance with law.
12. Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)