

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE**

Present:
The Hon'ble Justice Debangsu Basak

C.R.R. 1657 of 2025

**XXX
Vs.
The State of West Bengal & Anr.**

For the petitioner : Mr. Sanjib Das

For the State : Mr. Debasish Roy, Ld. P.P.,
Mr. Saryati Dutta
Md. Yasar Amman Ismail

For the O.P. No. 2. : Mr. Amanul Islam
Mr. Sourav Mukherjee

Heard and Judgment on : September 9, 2025

Debangsu Basak, J.:-

1. Petitioner seeks quashing of a criminal complaint.
2. Learned advocate appearing for the petitioner submits that there are civil disputes between the private parties. There are two criminal cases pending. There is one partition suit pending between the private parties.

3. Learned advocate appearing for the petitioner submits that the present criminal complaint was lodged by the private opposite party to falsely implicate the petitioner. He draws the attention of the Court to the charge sheet as also the materials which the police collected during investigation. He submits that commission of criminal offence by the petitioner is not borne out from such materials.
4. State and the private opposite party are represented.
5. I perused the case diary. Case diary contains an injury report. Injury report shows that the defacto complainant suffered simple injury. Defacto complainant recorded a statement under Section 164 of the Cr.P.C. implicating the petitioner in an assault and attempt to rape.
6. Defacto complainant also refused to undergo medico-legal examination.
7. Simpliciter on the ground that the defacto complainant refused to undergo medico-legal examination, it cannot be said that the prosecution will not be able to prove a case of attempt to rape or of the assault on the defacto complainant.
8. At this stage, I am not called upon to hold a mini trial. Suffice to say that materials on record in the case diary are such that it would be prudent to leave it to the discretion of the Jurisdictional Court with regard to the framing of charges as against the petitioner herein.
9. In view of the discussions above, I find no merit in the present revisional application.

10. **C.R.R. 1657 of 2025 is dismissed.**

(Debangsu Basak, J.)