

17.09.2025

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Ct. No. 26
S.D.

C.R.R. 1731 of 2025

In re: An application under Section 438, 442 and Section 528 of the B.N.S.S., 2023.

In the matter of: **Mintu Mondal & Anr.**

....Petitioners

Mr. Sankar Paul
Ms. Kumari Shipra Roy
...For the petitioners

Ms. Amita Gaur, Sr. Adv.,
Ms. Snigdha Saha
...For the State

Affidavit of service filed in Court be taken on record.

Petitioners seek quashing of Sessions Case No. 131 of 2021 pending before the learned Additional Sessions Judge, Tehatta, Nadia, arising out of Karimpur Police Station Case No. 59 of 2020 dated March 7, 2020.

Learned advocate appearing for the petitioners submits that the present police case was initiated in order to create evidence for the proceedings under Section 125 of the Cr.P.C. He submits that the present police complaint was lodged on the same date as that of the institution of the proceedings under Section 125 of the Cr.P.C.

Learned advocate appearing for the State draws the attention of the Court to the fact that charge sheet was

submitted before the Jurisdictional Court. She also refers to the materials in the case diary.

The police complaint lodged by the private opposite party discloses commission of cognizable offence. Police conducted an investigation and found materials to submit a charge sheet suggesting that the petitioners are required to stand trial.

Charges are yet to be framed.

Materials in the case diary suggest the requirement of the petitioners to stand trial. There are statements recorded under Sections 161 of the Cr.P.C. by several witnesses which if proved at the trial, may result in a conviction. I hasten to add that I am not pronouncing on the merits of the case of the prosecution.

Given the factual matrix of the present case as obtaining, I am not in a position to quash the criminal case.

C.R.R. 1731 of 2025 is dismissed.

(Debangsu Basak, J.)