

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

Present:
The Hon'ble Justice Debangsu Basak

C.R.R. 1953 of 2025

**Subhamoy Mukhopadhyaya @
Subhamay Mukhapadyay @
Suvhamy Mukhopadhya & Ors.
Vs.
The State of West Bengal & Ors.**

For the Petitioners : Mr. Shounak Mondal
Mr. Parvej Alam

For the Opposite Party : None appears

Heard and Judgment on : September 19, 2025

Debangsu Basak, J.:-

1. Petitioners seek quashing of Bagnan Police Station Case No. 582 of 2022 dated September 29, 2022 under Section 498A/354/34 of the Indian Penal Code, 1860 read with Section 3/4 of the Dowry Prohibition Act, 1961.
2. Learned advocate appearing for the petitioners submits that although the police submitted charge sheet and process under Section 207 of the Cr.P.C. was undertaken, the materials disclosed does not evince a necessity of the petitioner to stand trial.

3. Learned advocate appearing for the petitioners submits that the defacto complainant left the matrimonial home in February 2021. Husband of the petitioner instituted a proceeding for restitution of conjugal rights sometime in February 2022 and thereafter proceedings for divorce in August 2022. The police complaint was lodged as a counterblast to such proceedings.
4. Learned advocate appearing for the petitioners submits that the neighbours were also embroiled in the criminal case wrongfully. He submits that there are no independent witnesses to sustain the claim of the prosecution.
5. The FIR was registered subsequent to proceedings under Section 156 (3) of the Cr.P.C. being undertaken. Police on registration of the FIR pursuant to the order of the Jurisdictional Court in such proceedings submitted a charge sheet. Subsequent to the charge sheet, process under Section 207 of the Cr.P.C. was undertaken.
6. The petition before the Court contains materials disclosed in the process under Section 207 of the Cr.P.C. On the basis of the materials made available on record, I am not in a position to return a finding that taking the complaint on its face value, the same does not disclose commission of cognizable offence. The statements recorded by the witnesses tend to corroborate the claims of the defacto complainant. Absence of a so-called independent witness and the value of testimony of the prosecution witnesses are to be

tested at the trial. While considering an application for revision, the Court is not called upon to hold a mini trial in order to assess the evidentiary value of such statement. Suffice it to say that such statement, if established at the trial is likely to result in conviction.

7. In such circumstances, I find no merit in the present revisional application.
8. **C.R.R. 1953 of 2025 is dismissed.**

(Debangsu Basak, J.)

S.D.