

D/L -2
14/02/2025
Aritra
Ct. No.-28

CRR 3732 of 2024

Ashok Das & Ors.
Vs.
The State of West Bengal & Anr.

Mr. Rameshwar Sinha
Ms. Debanjana Sen
....for the petitioners

1. Petitioner submits there is prior enmity between the parties. Series of criminal cases have been registered. The impugned criminal case has been falsely instituted. Allegation of physical assault is false. He prays for quashing.
2. I have considered the materials on record including the allegations in the First Information Report. In the FIR it is alleged on 18/11/2023 around 9 P.M the petitioner and co-accused had assaulted the relations of de facto complainant. As a result de facto complainant's father suffered injuries. Petitioner and others have also committed theft.
3. Learned counsel contends allegations of physical assault is not supported by medical evidence. However, the charge sheet shows the victim had been treated as outdoor patient in the hospital. This issue may be agitated at the appropriate stage of proceeding including the stage of consideration of charge/plea. Nonetheless

in view of allegations disclosing commission of offences there is no jurisdictional error in taking cognizance on the impugned charge sheet.

4. Hence I do not wish to interfere with the impugned proceeding at this stage.
5. With the above observation the application being CRR 3732 of 2024 is disposed of.

(Joymalya Bagchi, J.)