

21.02.2025
Sl. No.24
akd

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

C. R. R. 3957 of 2024

In Re: ***Ms. Babita Srivastava & Ors.***

... .. Petitioners

Mr. Sabyasachi Bhattacharjee
Mr. Amrit Saha
Mr. Suman Nandi

... .. for the petitioners

1. It is submitted on behalf of the petitioners that they are the in-laws of the victim-housewife. Petitioners have been falsely roped in due to a matrimonial dispute. They pray for quashing of the proceeding.

2. I have considered the allegations in the FIR as well as charge sheet. Opposite party no.2 was married to one Sujit Srivastava on 09.05.2021. At the time of marriage, as per demand of the in-laws, a cash of Rs.4,00,000/-, gold ornaments and other articles were given as dowry. Thereafter, opposite party no.2 was subjected to mental and physical cruelty to meet unlawful demands of the in-laws. It is also alleged her husband had an illicit relationship with petitioner no.3 i.e. elder brother's wife. On 27.06.2021, over a trifle issue, she was physically assaulted. Finally, she was compelled to leave her matrimonial home in November, 2021. Uncontroverted allegations in the impugned charge sheet disclose ingredients of the offence of mental and physical cruelty including demands of dowry. Extent of complicity and/or participation of the petitioners i.e. the in-laws require to be assessed at the appropriate stage of the proceeding.

3. Hence, I am of the opinion no case for interference at this stage is made out.

4. Accordingly, CRR 3957 of 2024 is disposed of.

5. It is open to the petitioners to agitate their grievances at the appropriate stage of the proceeding including the stage of consideration of charge in accordance with law.
6. Photostat certified copy of this order, if applied for, be given to the petitioners on usual undertaking.

(Joymalya Bagchi, J.)