

28.02.2025
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**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. No. 4109 of 2024

In Re : An application under Section 528 of the BNSS.
And
In Re : Jyotirmoy Roy & Ors. petitioners

Mr. Imtiaz Ahmed
Mrs. Ghazala Firdaus
Mr. Mofakkerul Islam
Mr. Sk. Saidullah
Mr. Mithun Mondal
Md. Arsalan
Ms. Ria Paul

..... for the petitioners

1. Learned Counsel for the petitioners submits petitioner no. 1 is the husband, petitioner no 2 is the brother-in-law and petitioner no. 3 is sister-in-law of opposite party no. 2/wife. Petitioner no. 4 is the wife of petitioner no. 2. It is contended they have been falsely implicated and pray for quashing of the proceeding.

2. I have considered the allegations in the impugned FIR. Opposite party no. 2/wife was married to the petitioner no. 1 on 11.10.2018 by registration. A Hindu marriage was solemnized on 18.12.2018. It is alleged at the time of marriage as per demand of the accused dowry was given. Thereafter opposite party no. 2 was subjected to physical and mental torture. She was physically assaulted on a number of occasions. On 16.04.2024 she was tortured by the petitioners and suffered injuries. *Prima facie* allegations of assault is supported by medical papers. In light of the incriminating

materials on record and as the allegations implicate all the petitioners in the assault, we are not inclined to interfere with the proceeding at this stage.

3. It is open to the petitioners to agitate all the grievances at the appropriate stage of the proceeding in accordance with law, if so advised.

4. With these directions, application is disposed of.

5. Urgent photostat certified copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Joymalya Bagchi, J.)