

25.3.2025
Sl.15
Nandita
Court No.40

C.R.R. 4210 of 2024

In Re: - An application under Sections 482 of the Code of Criminal Procedure, 1973 and corresponding under Section 528 Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kanksa Police Station Case No. 230/2024 dated 11.07.2024 under Sections 498A/323/506/34 of the Indian Penal Code and 3/4 of Dowry Prohibition Act, pending before Ld. Additional Chief Judicial Magistrate at Durgapur

And

Prasanta Kumar Ghosh & Ors.

Vs.

The State of West Bengal & Anr.

Mr. Debasis Kar,
Mr. Husen Mustafi,

.... For the Petitioners

Ms. Sreyashee Biswas,
Ms. Suparna Chatterjee

.... For the State.

Affidavit-of-service filed on behalf of the petitioners be kept with the record.

This is an application filed for quashing of the First Information Report being Kanksa Police Station Case No. 230/2024 dated 11.07.2024 under Sections 498A/323/506/34 of the Indian Penal Code and 3/4 of Dowry Prohibition Act, corresponding to G.R. Case No. 1405 of 2024 pending before Ld. Additional Chief Judicial Magistrate at Durgapur.

The learned Counsel for the petitioners submitted that the wife alongwith her issues are living separately for nine years. In view of such long separation there is no question of alleged torture.

I have perused the Case Diary. Strong incriminating elements against the present petitioner. The statement of the daughter contains incriminating element against all the petitioners.

It is submitted by the learned Counsel for the State the Charge-Sheet has already been filed.

The petitioner may raise all the issues at the time of consideration of charge. For the time being on perusal of Case Diary, this Court is not inclined to quash the charge as prayed for.

Observations made herein are tentative. The learned Trial Court shall not be influenced by the observation made herein.

The instant application stands disposed of.

Case Diary be returned to the learned Counsel for the State.

Urgent certified photocopy of this order, if applied for, shall be supplied to the parties upon compliance of all necessary formalities.

(Sugato Majumdar, J.)