

07.3.2025
Sl.49
Nandita
Court No.40

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

CRR 4247 of 2024

**Sk. Sahadat Ekbal & Ors.
Vs.
The State of West Bengal & Anr.**

Mr. Kunal Ganguly,
.....For the petitioners.
Ms. Faria Hossain, Ld. APP
.....For the State.

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

The learned Counsel for the petitioners submits that the disputes between the husband and wife owed its origin much earlier. The husband name Sk. Sahadat Ekbal, who is the present petitioner no. 1 filed an application under Section 156(3) Code of Criminal Procedure alleging that the *de facto* complainant had already been married at the time of marriage with the petitioner no. 1. Subsequently, de facto complainant, after marriage with the present petitioner no. 1, filed an application for praying under Section 125 of Criminal Procedure Code. Number of litigations are pending and the present complaint is an addition to that.

Perused the Case Diary. There are incriminating element against the petitioner no. 1/husband. It is alleged that the

petitioner no. 1 caused hurt to the person of the *de facto* complainant, corroborated by the medical report. Therefore, I am not inclined to allow this application for quashing against the petitioner no. 1.

However, materials on record particularly the Case Diary does not show incriminating materials against the present petitioner nos. 2 to 7. The statement of witnesses recorded under Section 161 is nothing but “cut, copy and paste” of the same statements truth of which can be doubted. All the statements are computer typed.

On perusal of the Case Diary and other materials I am inclined to allow the instant application against petitioner no. 2 to 7 except petitioner no. 1.

Accordingly, Mohanpur Police Station Case No. 49 of 2024 dated 19.04.2024 under Sections 498A/325/307/406 of the Indian Penal Code read with Sections 3 / 4 of the Dowry Prohibition Act, 1961 (corresponding to G.R. Case No. 173 of 2024) pending before the Learned Additional Chief Judicial Magistrate Danton, Paschim Medinipur stand quashed against petitioner nos. 2 to 7.

Copy of the order shall forward to the Learned Additional Chief Judicial Magistrate Danton, Paschim Medinipur and the concerned Police Station.

The criminal revision being **CRR 4247 of 2024** stands disposed of.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Sugato Majumdar, J.)