

11.3.2025
Sl. 13
Samarpita
Court No.40

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

CRR 4295 of 2024

**Shajda Shahin & Ors.
Vs.
The State of West Bengal & Anr.**

Mrs. Amita Gaur,
Mr. Sachit Talukdar

.... For the State.

Affidavit of service filed today is kept on record.

None appears for the *de facto* complainant.

This is an application under Section 482 read with Section 401 of the Code of Criminal Procedure, 1973/ Section 528 read with Section 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023 praying for quashing the proceeding in connection with Burdwan Police Station Case No. 236 of 2024 dated 02.3.2024 under Sections 323/325/380/448/34 of the Indian Penal Code; the application also contemplates for quashing of the charge-sheet being Charge-Sheet no. 295 of 2024 dated 27.3.2024 pending in the Court of learned Chief Judicial Magistrate, Purba Bardhaman, corresponding to G.R. Case No. 1184 of 2024.

Heard the learned Counsel for the State.

Perused the case diary. No incriminating elements against the present petitioner nos. 3 to 9 no statement of witness is there

against them; their names are not mentioned in the injury report. Therefore, charge-sheet against petitioner nos. 3 to 9 are quashed. They are exonerated from the charges accordingly. So far as the petitioner no. 10 is concerned he is aged about 76 years, staying in District-Bhojpur, Bihar whereas the present incident took place in the District- Purba Burdhaman.

The prosecution against the petitioner no. 10 is also quashed. Accordingly, the charge-sheet against the petitioner no. 10 is also quashed. He is also exonerated herein. However, there are incriminating elements against the petitioner nos. 1 and 2 in the Case Diary. Therefore Charge-Sheet is not quashed against them. However, they can raise this issue again at the time of consideration of charge. The Trial Court shall not be influenced by this order.

Accordingly, this criminal revision being **CRR 4295 of 2024** stands disposed of.

The copy of the order of this Court may be sent to the learned Chief Judicial Magistrate, Purba Bardhaman, corresponding to G.R. Case No. 1184 of 2024.

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

Urgent certified copy of this order, if applied for, be given to the parties, upon compliance of all necessary formalities.

(Sugato Majumdar, J.)

