

18.3.2025
Ct. No. 40
Item No.19
Samarpita

CRR 4345 of 2024

In Re: - An application under Section 227 of the Constitution of India read with Section 482 of Cr. P.C. read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Barasat Police Station Case No. 534 of 2023 under Section 498A/341/323/406/506/34 of the Indian Penal Code pending before the 2nd Judicial Magistrate, Barasat, North 24 Pargana

And
Jayasri Sengupta
Vs.
The State of West Bengal & Anr.

Ms. Debisree Adhikary

.. for the petitioner

Dr. Madhusudan Saha Ray,
Mr. Debasish Sutradhar,
Mr. Debanjan Chatterjee

... for the opposite party no. 2

Ms. Anasuya Sinha, Ld. A.P.P.
Mr. Dipankar Pramanick

... for the State

This is an application praying for quashing of the entire proceeding, being Barasat Police Station Case No. 534 of 2023, pending before the learned 2nd Judicial Magistrate, Barasat, North 24 Pargana.

The application is made by mother-in-law of the *de facto* complainant.

I have heard the learned Counsel for the petitioner, the Counsel for the *de facto* complainant, as well as Ms. Anasuya Sinha, learned Counsel representing the State. I have also perused the Case Diary.

Ms. Anasuya Sinha, learned Counsel representing the State, submitted that there are incriminating element against the husband. However, she candidly submitted that incriminating elements as appears from the Case Diary, is not very specific against the petitioner except against the husband.

The present petitioner, mother-in-law is a senior citizen. The Case Diary does not indicate her active participation. Some sweeping statements without any specific allegation or specific and concrete fact are there in the Case Diary. A senior Citizen should not be saddled with criminal prosecution on the basis of such materials.

Accordingly, this Court is of the opinion that it is a fit case for quashing. The proceeding being Barasat Police Station Case No. 534 of 2023 stands quashed. Copy of this order may be communicated to the learned Trial Court.

It is made clear that an observation made herein, are tentative only, and shall not influence the orders or judgements of the learned Trial Court. The learned Trial Court shall expedite the hearing and consideration of charge and by preponing the date.

Accordingly, the instant criminal revision being **CRR 4345 of 2024** stands disposed of.

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

(Sugato Majumdar, J.)