

21.3.2025
Sl.17
Nandita
Court No.40

C.R.R. 4479 of 2024

In Re: - An application under Section 401 read with Section 482 of the Code of Criminal Procedure, 1973/ 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Dum Dum Police Station Case No. 367/2022 dated 14.05.2022 under Sections 498A/406 of the Indian Penal Code pending before the Learned Additional Chief Judicial Magistrate Barrackpore

And

Ayan Chatterjee & Ors.

Vs.

The State of West Bengal & Anr.

Mr. Ashirbad Sarkar
Mr. Shubhodeep Saha,
Mr. Sunny Bannerjee

.... For the Petitioners

Mr. Imran Ali,
Ms. Rajashree Tah

.... 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 proceedings in connection Dum Dum Police Station Case No. 367/2022 dated 14.05.2022 under Sections 498A/406 of the Indian Penal Code pending before the Learned Additional Chief Judicial Magistrate Barrackpore.

The statements of the de facto-complainant are very sweeping in nature. The petitioner annexed herein an application, self declaration and affidavit of the de facto complainant which shows that the de facto complainant left US

voluntarily to take care of her parents and all the gold ornaments given in marriage are in her custody as the husband has no separate locker. Materials on record do not contain incriminating materials to suggest that essential ingredients of Section 489A/406 of the Indian Penal Code are present. The allegations are contradicted by the own statement of the de-facto complainant. Therefore, I am inclined to quash all further proceedings in Dum Dum Police Station Case No. 367/2022 dated 14.05.2022 under Sections 498A/406 of the Indian Penal Code pending before the Learned Additional Chief Judicial Magistrate Barrackpore.

Accordingly, the Criminal Revision being **CRR 4479 of 2024** stands disposed of.

Copy of this order be communicated to the concerned Magistrate.

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

(Sugato Majumdar, J.)