

21.3.2025
Sl.26
Nandita
Court No.40

C.R.R. 4503 of 2024

In Re: - An application under Sections 482/401 of the Code of Criminal Procedure, 1973 an application under Section 528 of B.N.S.S. 2023 arising out Monteswar Police Station Case No. 344/23 dated 22.06.2023 under Section 306/34 of the Indian Penal Code, pending before the Learned Additional Chief Judicial Magistrate, Kalna

And

**Sujit Das & Ors.
Vs.
The State of West Bengal**

**Mr. Subhabrata Chowdhury
.... For the Petitioners
Mr. Avishek Sinha,
Ms. Pallavi Priyadarshee
.... For the State**

This is an application filed for quashing of criminal proceeding being Monteswar Police Station Case No. 344/23 dated 22.06.2023 under Section 306/34 of the Indian Penal Code pending before the Learned Additional Chief Judicial Magistrate, Kalna.

I have heard the learned Counsel for the parties and perused the Case Diary. The materials on record disclose incriminating elements against petitioner no.1. So far as the petitioner nos. 2 to 5 are concerned, the Case Diary does not disclose incriminating materials against them, so as to be implicated in charges under Section 306 of the Indian Penal

Code. Accordingly, the instant application is allowed partly and prosecution is quashed against petitioner nos. 2 to 5.

The Case Diary be returned.

This Criminal Revision being CRR 4503 of 2024 stands disposed of.

The learned Chief Judicial Magistrate, Burdwan shall commit the case, since charge has already been framed, within fifteen days from receiving of this order. Copy of this order may be communicated to the Learned Chief Judicial Magistrate Burdwan and the petitioner nos. 2 to 5 released from bail bond also.

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

(Sugato Majumdar, J.)