

42. 28.10.2025
Court
No. 550 (Tanmoy)

In Re: An application under Section 482 of the Code of Criminal Procedure, 1973 / Section 528 of BNSS, 2023 for quashing of the proceeding G.R. No. 2651/2024 arising out of Baguiati P.S. Case No. 379/2024 dated 09.07.2024. Charge-sheet no. 410/2024 dated 31.07.2024 under Sections 85/316(2) of BNS, 2023.

CRR/4954/2024

In the matter of: **SUBHANKAR DAS AND ORS.**

...petitioners.

Mr. Imtiaz Ahmed
Mrs. Ghazala Firdaus
Mr. Mofakkerul Islam
Mr. Sk. Saidullah
Mr. Md. Arsalan
Mr. Mithun Mondal

...for the petitioners.

Ms. Puja Goswami

...for the State.

1. Status report filed by learned Counsel for the State be kept with the records.
2. Learned Counsel for the petitioners has submitted that the instant criminal revisional application has been filed for quashing the proceeding in G.R. No. 2651/2024 arising out of Baguiati P.S. Case No. 379/2024 dated 09.07.2024.
3. Mr. Ahmed, learned Counsel for the petitioners, has submitted that the FIR contains omnibus allegations and there is nothing on record to support such allegations from the side of the investigating agency. The petitioners had issued one notice dated May 7, 2024

upon the opposite party no.2/*de facto* complainant requesting her to come back to her matrimonial home but the *de facto* complainant falsely alleged that she was driven out from her matrimonial house when she visited there. According to Mr. Ahmed, the same has been mentioned in the written complaint only to make out a case under Section 498A of IPC corresponding to Sections 85/316(2) BNS, 2023.

4. Ms. Puja Goswami, learned Counsel for the State, has categorically submitted that there are sufficient materials in the case diary wherefrom it transpires that within two months of her marriage, the *de facto* complainant was driven out from her matrimonial house and further recovery of *stree dhan* articles was done by the concerned Investigating Officer. However, she has admitted that there is no statement of the independent witnesses recorded under Section 161 of the Criminal Procedure Code, 1973 / Section 180 BNSS, 2023.
5. I have gone through the materials on record and the case diary. It appears that there are serious allegations against the husband, namely, Subhankar Das. However, the allegations against the other accused persons, who are the parents-in-law of the *de facto* complainant, are omnibus in nature.
6. Considering the allegations against the parents-in-law are omnibus in nature, I am inclined to allow the prayer for quashing of the proceeding in G.R. No. 2651/2024

arising out of Baguiati P.S. Case No. 379/2024 dated 09.07.2024, as made out by the petitioner nos. 2 and 3, namely, Paritosh Das and Mithu Das.

7. Accordingly, the relevant proceeding being G.R. No. 2651/2024 arising out of Baguiati P.S. Case No. 379/2024 dated 09.07.2024 in respect of the petitioner nos. 2 and 3, namely, Paritosh Das and Mithu Das is hereby quashed.
8. However, the relevant G.R. No. 2651/2024 arising out of Baguiati P.S. Case No. 379/2024 dated 09.07.2024 in respect of the petitioner no.1, namely, Subhankar Das, the prayer for quashing of the proceeding is hereby rejected.
9. The criminal revisional application being CRR/4954/2024 is disposed of.
10. Criminal Section is directed to make available the urgent photostat certified copy of this order, if applied for, to the parties, upon compliance with all requisite formalities.

(Apurba Sinha Ray, J.)