

14.08.2025  
SL. 5  
Court No. 3  
SR

**In the High Court at Calcutta  
Circuit Bench at Jalpaiguri  
Criminal Revisional Jurisdiction**

**CRR 41 of 2025  
With  
CRAN 1 of 2025**

**In the matter of: Sri Santanu Kar & Ors.**

....petitioners.

Ms. P.K. Mangat

... for the petitioners.

Mr. Aditi Shankar Chakraborty, Ld. APP  
Mr. Abijit Sarkar

... for the State.

**In re: CRAN 1 of 2025**

1. Two numbers of affidavits of service as filed today on behalf of the petitioners are taken on record.
2. By filing CRAN 1 of 2025, the petitioners have prayed for extension of the interim order as passed on 30<sup>th</sup> January, 2025.
3. At the time of hearing Ms. Mangat, learned advocate appearing for the petitioners at the very outset draws attention of this Court to the various annexures to the instant petition. It is submitted that from the materials as placed before this Court, it would reveal that no case has been made out in the FIR and even in the charge-sheet to constitute an offence under Sections 498A/406/313/506/376 of the Indian Penal Code. It is further submitted that in the event the criminal case as involved in the instant application for quashing is permitted to continue that would tantamount of miscarriage of justice.
4. Such contention is vehemently opposed by Mr. Sarkar, learned

advocate appearing on behalf of the State. In course of his argument, Mr. Sarkar draws attention of this Court to the written complaint as lodged in connection with this case. Attention of this Court is also drawn to the various statements of the witnesses as recorded under Section 161 CrPC. Mr. Sarkar also requests me to look to the medical examination report of the victim lady, who is the informant in the relevant PS Case.

5. On careful perusal of the entire materials as available in the case diary it, *prima facie*, appears to this Court that sufficient case has been made out on behalf of the prosecution justifying investigation and to go for trial. It, thus, appears to this Court that the instant application is misconceived and vexatious and has been filed only to stall the legal proceeding.
6. With the aforementioned observations, CRR 41 of 2025 is dismissed.
7. In view of the dismissal of CRR 41 of 2025, CRAN 1 of 2025 is also dismissed.
8. The interim order of stay as passed in connection with the instant case stands hereby vacated.
9. The department is directed to communicate this order to the Court of ACJM, Siliguri, who is in sessions of G.R. Case No.1717/2024 corresponding to Siliguri (Women) Police Station Case No.49/2024 dated 16<sup>th</sup> May, 2024 under Sections 498A/406/313/506 and 376 of the Indian Penal Code, 1860.
10. Mr. Sarkar, learned advocate appearing on behalf of the

respondent/State is also requested to communicate the server copy of this order to the learned Trial Court. The learned Trial Court is directed to act on the server copy of this order.

11. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

**(Partha Sarathi Sen, J.)**