

**CALCUTTA HIGH COURT  
IN THE CIRCUIT BENCH AT JALPAIGURI**

09.06.2026  
Court No.5  
Item No.43  
Aloke

**CRR 75 of 2026**

**Sonamoyi Barman  
Vs.  
The State of West Bengal & Ors.**

Ms. Madhushri Dutta  
Ms. Bipasha Mrug  
... for the petitioner

Mr. Avrojoyoti Das, ld. APP  
Ms. Rajayashree Ghosh  
... for the State

1. Affidavit-of-service filed be kept with the record.
2. The present revisional application has been preferred praying for setting aside of an order dated 19.01.2026, passed by the learned Additional Chief Judicial Magistrate, 2<sup>nd</sup> Court, Dinhata, Coochbehar, in connection with G.R. Case No. 805 of 2025, arising out of Sahebganj Police Station Case No. 710/25 dated 19.12.2025 under Sections 126(2), 117(2), 115(2), 351(3), 303(2) and 3(5) of the Bharatiya Nyaya Sanhita, thereby rejecting the application of the petitioner.
3. Vide the impugned order, the learned ACJM, 2<sup>nd</sup> Court, Dinhata, held as follows :

*“The petition filed by the defacto complainant is taken up for hearing.*

*Ld. APP, Ld. Advocate for the defacto complainant are present.*

*The contention of the instant petition dt. 19.01.2026 is that the defacto complainant prayed for adding proper section in the case. Xerox copy of some medical documents is filed.*

*Ld. Advocate for the defacto complainant submitted that the accused persons had beaten the son of the defacto complainant and damaged his eye. The defacto complainant prayed for proper investigation and adding proper section in the case. The de facto complainant filed an affidavit and in the affidavit she prayed for police protection and proper investigation. In the affidavit it is also stated that the accused no. 1 is Civic Volunteer and police added petty offence in the case.*

*Ld. APP prayed for necessary order.*

*Heard. Considered. Perused the record.*

*It appears that the FIR was lodged on 19.12.2025 and investigation is in progress. At this stage it cannot be ascertained that the police did not investigate properly or did not add proper section in the case. The defacto complainant could not show any proof at this stage to grant protection to her or her family.*

*Therefore, the instant petition is rejected at this stage.”*

4. On hearing the learned counsel for the petitioner and the learned counsel for the State and the materials on record, this Court finds that prima facie there is no irregularity or illegality in the impugned order passed by the trial Court.
5. Considering the nature of prayer which has been rejected by the trial Court, the petitioner is always at liberty to approach the trial Court at the appropriate stage of investigation, that is at the time of filing of charge-sheet in

case the petitioner/complainant is aggrieved by the charge-sheet submitted.

6. Considering the said facts, the revisional application stands dismissed.
7. Connected application, if any, stands disposed of.
8. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all request formalities.

**(Shampa Dutt (Paul), J.)**