

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

13.08.2024
Ct. 3
Sl.15
BD.

CRR 280 of 2024

Prasanta Kumar Dhar & Anr.

-Vs.-

The State of West Bengal & Anr.

Mr. Nitish Banka
Mr. Dhiraj Lakhotia
Ms. Khusi Kundu For the Petitioners.

The petitioner herein has prayed for quashing the proceeding bearing Siliguri Women Police Station Case No. 152 of 2023 dated 21st November, 2023 corresponding to G.R. Case No. 4728 of 2023 presently pending before the Learned Additional Chief Judicial Magistrate, Siliguri.

It is contended on behalf of the petitioners that they are the father-in-law and mother-in-law of the alleged victim and the allegations made in the FIR is omnibus and no specific allegation has been attributed against the present petitioners. He further submits that the contents of the FIR does not speak as to what role was actually played by the present petitioners in committing the alleged offence. In fact, there is no sufficient ground to proceed against the present petitioners and the present criminal proceeding is manifestly attended against the petitioners with malafide intention and with ulterior motive for wrecking vengeance on the petitioners with a view to spite them due to private and personal grudge.

Petitioner is directed to serve a copy of the application upon the opposite parties intimating next date of hearing and file affidavit of service on the returnable date.

Let the matter appear under the heading "Contested Application" on 22nd August, 2024.

Upon hearing learned counsel appearing on behalf of the petitioners, let all further proceedings being G.R. Case No. 4728 of 2023 presently pending before Learned Additional Chief Judicial Magistrate, Siliguri, be stayed for a period of four weeks or until further order, whichever is earlier.

State is directed to produce the case diary on the date fixed.

(Ajoy Kumar Mukherjee, J.)