

Serial No.01
Supple List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl. Petn. No. 69 of 2025

Date of Order: 09.10.2025

Shri. Chandi Saha & 4 Ors.

Vs.

Smti. Dipa Saha.

Coram:

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. S. A. Sheikh, Adv.

For the Respondent(s) :

Heard Mr. S. A. Sheikh, learned Counsel appearing for the petitioners.

Issue notice, returnable in 3 (three) weeks.

The petitioners shall take for service of notice upon the respondent within 2 (two) days.

Heard the learned Counsel on the interim prayer.

The petitioners, who are named as accused Nos.2 – 6 in C. R. Case No. 12/2024, have made a prayer for stay of the said proceeding. It is submitted that the impugned order dated 22-07-2025 and the subsequent issuance of process by the Court of the Judicial Magistrate First Class, West Garo Hills in C.R. Case No. 12/2024 has been done in blatant violation of the provision of law relating to issue of process in complaint cases. It is further contended that the complaint case has been instituted by the respondent under Sections 406 & 34 IPC apparently on the allegation of illegal retention of her 'Stridhana' by the petitioners. It is submitted that

the respondent had already filed applications before the Family Court in F.C (Civil) No. 1053/2018 at Guwahati and also before the Court of Judicial Magistrate First Class, Kamrup (M), Assam in MISC. Case (DV) No. 163(m) of 2018 seeking recovery of alleged 'Stridhana' which are pending adjudication before the said courts. The learned Counsel, therefore, contends that filing of the C.R. Case No. 12/2024 before the Judicial Magistrate First Class, Tura is nothing but an abuse of process of law to harass the petitioners without any legally justifiable cause.

From the submission made by the learned Counsel and on perusal of the materials on record, *prima facie*, it appears that the dispute raised in the C.R. Case No. 12/2024 is also subject-matter of adjudication before the respective Courts in F. C. (Civil) No. 1053/2018 and in MISC. Case (DV) No. 163(m) of 2018. Hence, it is ordered that the further proceeding of C.R. Case No. 12/2024 pending before the Judicial Magistrate First Class, Tura shall remain suspended in respect of the petitioners herein till the returnable date.

List after 3 (three) weeks.

Judge

Meghalaya
09.10.2025
"Biswarup PS"