

D/L15

19.03.2026
Rohit, A.R.(Ct.)
ct.no.551

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE**

C.R.R 867 of 2026

**Abdul Kalam Khan
Vs
State of West Bengal & Anr.**

Mr. Tapas Kumar Adhikari
Mr. Abhijit Ghosh

...for the petitioner

1. The instant revisional application has been filed seeking quashing of the proceedings in GR No. 5847 of 2024 arising out of Cyber Crime Barrackpore Police Station Case No. 25 of 2024 dated 29.08.2024.

2. It is submitted on behalf of the petitioner that the private opposite party filed prior case with an allegation of misappropriation of money cheating along with the allegations under Sections 498A/376E of the Indian Penal Code.

3. Learned Advocate for the petitioner also submits that after nine years of the institution of such case, the petitioner has come up with another case under Sections 420/406 involving the money which was involved in the previous case as well.

4. It is submitted by the learned Advocate for the petitioner that in the previous case charge-sheet has been

submitted after investigation. However, charges are yet to be framed. In spite of such situation, the private opposite party with a view to harass the present petitioner has come up with another case practically over the self-same cause of action.

5. Having considered the aforesaid facts and circumstances of the case, it appears that in the case filed in the year 2024, there is an allegation that the present petitioner obtained huge amount of money from the private opposite party which was in excess of Rs. 17,00,000/- at different times. It further transpires from the materials on record that this amount of money was also involved in the previous case. On the earlier occasion, since the case was filed under Section 498A of the Code of Criminal Procedure, the allegation of cheating of money was on various grounds subsequent to such marriage. However, in the present case of 2024 the aforesaid money is alleged to have been cheated from the private opposite party extracted out of love and affection between the petitioner and the private opposite party. Apparently it appears that the two cases filed by the private opposite party seem to be based on similar allegations.

6. In such circumstances, the matter is required to be heard. Accordingly, it would be appropriate to direct the petitioner to serve copy of the revisional application on the

opposite party and file affidavit-of-service to that effect on the date fixed.

7. List the matter two weeks hence before the appropriate bench.

8. In the meantime there shall be interim stay of the proceedings of GR Case No. 5847 of 2024 pending before the learned Additional Chief Judicial Magistrate at Barrackpore till April 30, 2026 or until further orders whichever is earlier.

(Md. Shabbar Rashidi, J.)