

**09.06.2026**

**Serial no. 27**

[Srimanta]

Ct. No. - 29

**CRR/1327/2026**

In re : An Application under Sections 528 of Bharatiya Nagarik Surekshya Sanhita, 2023 corresponding to Section 482 of the Code of Criminal Procedure, 1973

-And-

**In the matter of : ARUNAVA MUKERJI AND OTHERS**

**... .. Petitioners**

*Mr. Samim Ahammed,  
Mr. Asif Ikbal Baidya, Advocates*

*... .. For the Petitioners.*

1. Petitioners herein have prayed for quashing of the proceeding being Golf Green Police Station Case No. 272 dated 01.12.2024 under Sections 498A/406/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act which has already been culminated into a charge-sheet and is presently pending before learned Judicial Magistrate, 2<sup>nd</sup> Court, Alipore. Being aggrieved by the aforesaid proceeding, learned Counsel for the petitioners submits that during investigation the complainant was not examined which is a fatal infirmity that deprives the prosecution case of its very foundation and renders the investigation mechanical and one sided. Moreover, the material witnesses like neighbours and third parties were not examined. So far as allegation leveled

under Section 406 of the Indian Penal Code is concerned, the same has been fully and finally settled. There exists inordinate and unexplained delay in lodging of the F.I.R. No medical report or injury certificate were adduced or seized during investigation. Therefore, further continuance of the impugned proceeding shall be mere abuse of the process of the Court.

2. Having heard learned Counsel for the petitioners the application is admitted.
3. Petitioners are directed to serve a copy of application upon the State through the speed post intimating next date of hearing and to file affidavit-of-service on the returnable date.
4. Let the matter be listed on 23<sup>rd</sup> July, 2026.
5. State is directed to produce the Case Diary on the date fixed.
6. Petitioners will be at liberty to pray for accommodation before the Court below if any date is fixed in the meantime.
7. Petitioners will be at liberty to pray for interim relief, if any, after serving copy to the opposite parties.

**(Dr. Ajoy Kumar Mukherjee, J.)**