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**CRR 1601 of 2026**

**Sunil Shaw & Ors.**  
**Vs.**  
**The State of West Bengal & Anr.**

Mr. Amitava Chowdhury

...for the Petitioners

The petitioners herein are aggrieved with the proceeding being G.R. case no. 3255 of 2025, presently pending before the learned Chief Judicial Magistrate, Barasat.

The petitioners herein are the husband and in laws of the complainant. It is submitted on behalf of the petitioners that the opposite party no. 2 herein/complainant left her matrimonial home on 28.11.2024 with all her stridhan articles against the will of the petitioner no. 1. The petitioner no. 1 has filed one matrimonial suit, which is pending for adjudication. After filing of the aforesaid matrimonial suit, the opposite party no. 2 conspired to falsely implicate the petitioners in the instant criminal proceeding. The statements of the accusation do not attract any of the ingredients of the offence alleged and no stridhan articles as claimed by the opposite party no. 2, were recovered from the possession of the petitioners. No medical evidence in connection with the alleged knife injury of the opposite party no. 2 could be seized during investigation nor there is any seizure of any weapon. No specific date or incident in support of the alleged torture has been mentioned in the complaint and no independent witness

has been cited in the charge-sheet to support the case of the prosecution. Therefore, further continuance of the impugned proceeding would be nothing but a mere abuse of process of the court.

Having heard learned counsel for the petitioners, the application stands admitted.

Petitioners are directed to serve a copy of the application upon the State through the office of Public Prosecutor, High Court, Calcutta and upon the opposite party no. 2 by speed post intimating the next date of hearing and to file affidavit of service on the returnable date.

Let the matter appear on 17<sup>th</sup> June, 2026 under the heading **“Contested Application”**.

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

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

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