

04.05.2026

Sl. No.116.

M/L.

Mithun.

Ct.No.29.

CRR/1791/2026

Prabir Chaki & Ors.

Vs.

The State of West Bengal & Anr.

Mr. Indranuj Dutta,
Mr. Diganta Paul,
Ms. Benazir Sk.

...for the petitioners

The petitioners are *de facto* complainant's maternal uncle-in-law, paternal uncle-in-law and their wives and daughter and they are no way connected with the alleged offence. The petitioner no.1, 3 and 4 are permanent residents of Fulia Township and the distance between the permanent residence of petitioner nos.1, 3 and 4 and the matrimonial home of the opposite party no.2 is approximately 80 kilometres. He further submits that the FIR as well as materials collected during investigation show that the entire allegation has been levelled against the husband, mother-in-law and brother-in-law of the *de facto* complainant who are not the petitioners herein. Therefore, continuance of the impugned proceeding under Sections 498A/325/406/506/34 of the IPC against the present petitioners would be mere abuse of the process of the Court.

Having heard learned Counsel for the petitioners, the application is admitted.

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

Let the matter be listed in the Monthly List of July, 2026.

Learned Counsel for the petitioners also prays for interim relief.

Having heard learned Counsel for the petitioners and that the petitioners have made out an arguable case which requires adjudication on merit, let all further proceeding of G.R. Case No.7915 of 2023 presently pending before learned Judicial Magistrate, 2nd Court, Barrackpore be hereby stayed for a period of 12 weeks or until further order, whichever is earlier *qua* the petitioners, namely, **Prabir Chaki, Ashis Majumder, Baisali Chaki, Provati Chaki, Prasanta Kumar Chaki alias Prasanta Chaki alias Prabodh Chaki and Juthika Chaki Mondal.**

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Dr. Ajoy Kumar Mukherjee, J.)