

13.07.2026

Sl. No.12.

M/L.

Mithun.

Ct.No.29.

CRR/2712/2026

XXX & Ors.

Vs.

State of West Bengal & Anr.

Mr. Sourav Mondal,
Mr. Arijit Bhuiya,
Mr. Rony Mondal

...for the petitioners

The opposite party no.2 herein lodged a written complaint on 14.06.2026 alleging that the petitioner no.1 had sexual relation with her under the assurance of marriage and subsequently refused to accept her as his wife. However, same complainant stated that a legal marriage was solemnized between her and the petitioner no.1 on 14th December, 2024 under the Special Marriage Act, 1954. The complainant further alleged that petitioner no.1 threatened to kill her and that the other petitioners pressurized her for divorce and made derogatory remarks as she belongs to Scheduled Caste community.

Being aggrieved by the aforesaid proceeding, learned Counsel for the petitioners submits that the entire allegation levelled in the complaint is a malicious attempt to harass and falsely implicate them in a criminal case arising out of domestic and marital dispute. The allegations of sexual intercourse by deceitful means are untenable because complainant has admitted her legal marriage with the petitioner no.1. He further submits that the allegations levelled under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 does not attract as the alleged derogatory remarks were not made in a place, which is within public view. The petitioners are respectable citizens with petitioner no.1 being a constable in CISF. Therefore, the petitioners

submit that further continuance of the impugned proceeding 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 on 13th August, 2026.

The petitioners' prayer for interim relief shall be considered after serving copy to the opposite parties.

The State shall produce the Case Diary on the date fixed.

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.)