

26.02.2025
tkm/ct 28
sl no.30

C.R.R. 4058 of 2024

In Re : An application under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023

And

In Re : Sakshi Gopa Dey & Ors.

..... petitioners

Mr. D D Banerjee

..... for the petitioners

1. I have considered the materials on record. Allegations in the impugned FIR and charge sheet are primarily levelled against petitioner no. 1-husband. Though it is alleged petitioner no. 2 and 3 i.e. parents-in-law aided and abated the husband, the allegations levelled against them are general and omnibus. It is argued they have been falsely roped in a matrimonial dispute.

2. Petitioner no. 2 and 3 have made out an arguable case for quashing of the impugned proceeding.

3. Copy of the petition be served upon opposite party no. 1/State through public prosecutor and opposite party no. 2 through registered speed post with acknowledgement due and file affidavit of service on the next date.

4. Let the matter appear four weeks hence.

5. So far as petitioner nos. 2 and 3 are concerned, there shall be stay of all further proceedings in connection with GR 1112 of 2023 arising out of Daspur P.S case no. 585 dated 27.10.2023 under sections 498A/323/307/379/406/506/34 IPC pending before the learned CJM Ghatal Paschim Medinipur for six weeks or until further orders whichever is earlier.

6. So far as petitioner no. 1 is concerned proceeding shall continue.

7. Liberty is given to the parties to pray for extension and/or vacation and/or modification of this order upon notice to the other side.

(Joymalya Bagchi, J.)