

CRR 4231 of 2024

Suresh Chandra Goel & anr.
Vs.
The State of West Bengal & anr.

Adv. Saurav Chatterjee,
Adv. H. B. Dubey,
Adv. Aditya Tiwari

...for the petitioners.

The petitioners are the parents-in-law of the private opposite party and seek quashing of proceedings being G.R. case no. 1554 of 2020 pending before the learned Judicial Magistrate, 20th Court, Calcutta.

Learned counsel for the petitioners submits that the private opposite party was married to the son of the petitioners on 1st December, 2016 and the opposite party's husband filed a MAT suit seeking divorce on 26th August, 2020. As a counter-blast, the present complaint was lodged. During investigation of the complaint, the private opposite party's statement was recorded under Section 161 of the Code of Criminal Procedure, wherein she made allegations under Section 376 of the Indian Penal Code against the first petitioner which was subsequently dropped during submission of charge sheet.

Learned counsel places reliance on the authority in **Achin Gupta vs. State of Haryana & anr.** reported in **2024 SCC OnLine SC 759** in support of his contention.

Upon consideration of the material on record, particularly the relationship between the petitioners and the private opposite party and the fact that the present complaint was lodged after filing of the MAT suit by the son of the parents, this Court is of the view that the matter needs to be heard on merits.

The petitioners are directed to serve copy of the application along with annexure thereto upon the opposite parties and file affidavit of service on the adjourned date.

Let the matter appear under the heading 'Contested Application' in the monthly list of February, 2025.

Further proceedings of G.R. case no. 1554 of 2020 pending before the learned Judicial Magistrate, 20th Court, Calcutta be stayed qua the petitioners till 28th February, 2025 or until further orders, whichever is earlier.

(Suvra Ghosh, J.)