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CRR 5442 of 2025

Sk. Jasimuddin Ahmed & Ors.
Vs.
The State of West Bengal & Anr.

Mr. Pawan Kumar Gupta
Ms. Sofia Nesar
Mr. Santanu Sett
Mr. Abhijit Bose

...for the Petitioners

The petitioners herein have assailed the proceeding being G.R. case no. 1213 of 2023, wherein they have been implicated under Section 498A/406/34 of the IPC read with Section 3/4 of Dowry Prohibition Act, presently pending before the learned Judicial Magistrate, 3rd Court, Chandernagore.

Being aggrieved by the aforesaid proceeding, learned counsel for the petitioners submits that the opposite party no. 2 initiated the instant proceeding after four months of her leaving matrimonial home and after receipt of the notice of matrimonial suit filed by her husband seeking dissolution of marriage. Her marriage was solemnized on 23rd January, 2023 and she left her matrimonial home on 17th February, 2023.

He further submits that the present petitioners are the father-in-law, mother-in-law and father of mother-in-law who are in no manner related with the alleged offence. The petitioner no. 3 is aged about 80 years old and other two petitioners are also aged about 68 and 56 years respectively and are suffering from ailments. The present proceeding has been initiated only to harass the petitioners

out of grudge and if it is allowed to continue qua the present petitioners, it 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 in the Monthly list of July, 2026 under the heading “**Contested Application**”.

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 the impugned proceeding being G.R. case no. 1213 of 2023, presently pending before the learned Judicial Magistrate, 3rd Court, Chandernagore be stayed for period of twelve weeks or until further order, whichever is earlier qua the petitioners namely, **Sk. Jasimuddin Ahmed, Dulhan Begum and Chowdhury Fazlul Haq @ Chowdhury Fazrul Haq**.

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.)