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**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

CRR 495 of 2025

**Shefali Roy @ Sefali Roy Kayet & Ors.
Vs.
The State of West Bengal & Anr.**

Mr. Hillol Saha Poddar
Ms. Mousumi Das

...for the Petitioners

FIR case is that the son of the defacto-complainant was married with the petitioner no. 1 on 13th July, 2014 and they are blessed with a girl child but thereafter accused Sefali Roy/wife and her mother and brother who are petitioner nos. 2 and 3 herein pressurized the said son of the complainant to stay at his in laws house. It is further stated in the FIR that the said accused Sefali Roy/petitioner no. 1 herein filed a maintenance application before the learned Judicial Magistrate and the same was dismissed. However, the accused, Sefali Roy and her mother and brother who are the petitioners herein had a desire for the death of the son of defacto-complainant and they always insisted for causing death over phone, so that the wife/petitioner no. 1 herein can get the job of her son on compassionate ground. It is also alleged that on 23rd November, 2022, the said son of defacto-complainant died at Jalpaiguri hospital.

Learned counsel for the petitioners submits that the death of the son of the defacto-complainant was natural as reflected from the FIR itself and it has got no connection with the alleged insistence or alleged desire and as such, the allegation lacks the ingredients of the alleged offence and the continuance of the further proceeding will be a mere abuse of the process of the court. However, he submits that the investigation is still continuing.

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

Petitioners are directed to serve a copy of the application upon the State through the office of the Public Prosecutor in the Circuit bench at Jalpaiguri and also upon the defacto-complainant through speed post and to file affidavit of service on the returnable date.

Since the petitioners have made out an arguable case, let all further proceedings being G.R. case no. 992 of 2023 arising out of Jalpaiguri Kotwali Police Station case no. 144 of 2023 dated 2nd March, 2023, presently pending before the court of learned Chief Judicial Magistrate, Jalpaiguri under Section 327/316 of the Indian Penal Code be stayed till disposal of the present application.

Let the matter appear on 3rd November, 2025 under the heading "Contested Application".

(Dr. Ajoy Kumar Mukherjee, J.)