

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE**

**PRESENT:
THE HON'BLE JUSTICE UDAY KUMAR**

CRR 3040 of 2022

**Raju Adhikari and Ors.
-VS-
State of West Bengal & Anr.**

For the Petitioner s : Mr. Rajdeep Majumdar, Ld. Sr. Adv.,
Mr. Pritam Roy
Ms. Arushi Rathore

For the Opposite Party No.2 : Mr. Debasis Kar
Mr Arka Tilak Bhadra

For the State : Ms. Zareen N. Khan,
Mr. Ashok Das

Hearing concluded on : 23.05.2025

Judgment on : 20.06.2025

UDAY KUMAR, J.: –

1. This revisional application, invoking the inherent powers of this Court under Section 482 of the Code of Criminal Procedure, 1973 (Cr.P.C.), seeks the quashing of criminal proceedings initiated pursuant to Barrackpore Women's Police Station Case No. 39 of 2022, dated July 16, 2022. The First Information Report (FIR) in question incorporates grave allegations under Sections 498A, 406, and 506 of the Indian Penal Code, 1860 (IPC), in conjunction with Sections 3 and 4 of the Dowry Prohibition Act, 1961, against the husband and his relatives. These charges pertain to alleged dowry harassment and marital cruelty. The

resultant G.R. Case No. 6784 of 2022 is presently pending adjudication before the learned Chief Judicial Magistrate, Barrackpore.

- 2.** In essence, the petitioners, comprising the husband's mother, his sisters, and a nephew, contend that they have been falsely implicated and that the continuation of these proceedings constitutes a clear abuse of the process of law. Their primary contentions rest upon the omnibus nature of the allegations, the demonstrable geographical remoteness of certain family members from the matrimonial abode, and a significant, unexplained delay in the lodging of the FIR. These grounds, they argue, collectively point towards a malicious prosecution rather than a genuine complaint.
- 3.** The brief facts, as presented by the prosecutrix, opposite party no. 2, Smt. Sanjukta Adhikary Ganguly, indicate that her marriage with petitioner no. 1, Raju Adhikary, was solemnized on January 30, 2020. This marital journey, however, quickly descended into distress, culminating in the FIR lodged on July 16, 2022. The complaint details a distressing series of alleged incidents of cruelty and harassment that purportedly commenced almost immediately post-marriage.
- 4.** According to the prosecutrix, during the wedding and reception ceremonies, her sisters-in-law (petitioner nos. 3 and 5) brazenly demanded dowry and made disparaging remarks about gifts from her family. This, she states, was merely the beginning of severe financial exploitation. In March 2020, she was allegedly compelled to procure Rs.20,000/- from her father. Soon after, her ATM card was reportedly snatched, leading to a Rs.33,000/- withdrawal by petitioner no. 1, supposedly at the instigation of his mother (petitioner no. 2) and sisters

(petitioner nos. 3 and 5). Before their child was born, another Rs.30,000/- was allegedly taken from her father by petitioner no. 1.

5. Moving beyond financial exploitation, the story escalates to claims of torture during her pregnancies. Her in-laws, she states, expressed unhappiness, shirked responsibility for the child, and forced her back to her parental home without adequate medical care. After an abortion in April 2020, petitioner no. 2 initially barred her re-entry into the matrimonial home. Upon her eventual return, she allegedly faced a harsh reality of forced household chores, relentless torture, verbal abuse, and even deprivation of basic necessities for her newborn daughter. Following her baby girl's birth on April 28, 2021, petitioner nos. 3 and 4 (sister-in-law and nephew) allegedly prevented her from living with her husband, and communication with the in-laws ceased entirely. When she returned to the matrimonial home in September 2021, her presence was reportedly met with displeasure by petitioner nos. 2, 3, 4, and 5, leading to continued torment and the denial of food for her infant.
6. The essence of the complaint revolves around a significant incident on February 15, 2022, when the prosecutrix and her father were allegedly brutally assaulted by Petitioner No. 1. What's more, petitioner nos. 2 (mother-in-law) and 4 (nephew) are also specifically accused of physically assaulting her and pulling her hair. The situation escalated, with petitioner no. 1 allegedly attempting to throttle her before forcibly expelling her from the matrimonial home. It was this harrowing event, she asserts, that ultimately compelled her to lodge the FIR on July 16, 2022, seeking justice for the alleged years of torment.

- 7.** The petitioners, conversely, vehemently deny all these accusations, asserting that despite their demonstrable efforts to foster peace and affection, opposite party no. 2 exhibited hostile behaviour, neglected her matrimonial obligations, engaged in improper conduct, and continuously harassed them.
- 8.** The learned counsel for the petitioners, Mr. Rajdeep Majumdar, Learned Senior Advocate, advanced several compelling reasons for quashing of the criminal proceedings by exercising inherent powers. A primary point of emphasis was the geographical disassociation of certain family members from the matrimonial home. He highlighted that petitioner nos. 3 and 5 (sisters-in-law) and petitioner no. 4 (nephew) were residing in entirely separate households, specifically in Prafullanagar, Habra, and Dalal Para, Basirhat, situated at a considerable distance from the matrimonial home in Ashokenagar. It was further asserted that some petitioners were even residing abroad (Mumbai, Hong Kong, Jamaica) during various periods of the alleged torture.
- 9.** Mr. Majumdar contended that it is "inexplicable" how they could have consistently inflicted daily torture while maintaining such geographical separation, leading to the inference of false implication arising from the complainant's alleged animosity towards her husband. He submitted that there was no common business or daily interaction that would facilitate such continuous acts of cruelty.
- 10.** Furthermore, he underscored the "omnibus" and vague nature of many allegations contained within the FIR. He argued that the complaint indiscriminately "ropes in" all family members without specifically attributing distinct, overt acts of cruelty to each individual, particularly

the distant relatives. He submitted that such "bald allegations and fanciful averments," unsupported by concrete particulars, cannot sustain a charge under Section 498A IPC. In this regard, he invoked established judicial precedents that caution against the common tendency to "rope in all relations" of the husband in matrimonial disputes, often without attributing specific roles or providing tangible material.

11. Another critical procedural flaw highlighted by Mr. Majumdar the inordinate delay between the last alleged incident (February 15, 2022) and the lodging of the FIR (July 16, 2022). He also questioned the prosecutrix's silence for over one and a half years if the alleged violence was indeed continuous since the marriage in January 2020. Such "laches" in reporting, without a satisfactory explanation, he argued, undermines the credibility of the allegations and suggests they might be an afterthought or motivated by ulterior designs.

12. Building on the issue of delay, Mr. Majumdar Learned Counsel for the petitioners raised a significant legal ground concerning the police's alleged non-compliance with the guidelines enunciated by the Hon'ble Supreme Court in *Lalita Kumari vs. Government of UP and Ors.* [(2014) 2 SCC 1]. He asserted that the FIR was registered and investigation initiated directly, without conducting a preliminary inquiry, which is specifically mandated for "matrimonial disputes/family disputes" and "cases where there is abnormal delay/laches in initiating criminal prosecution" (e.g., over 3 months delay in reporting without satisfactory explanation). He contended that such an inquiry is vital for screening

frivolous and malicious complaints and protecting individual liberty, and its absence renders the FIR liable to be quashed.

13. Moreover, Mr. Majumdar argued that to attract Section 498A IPC, it is essential to establish that torture was inflicted with the intention to coerce for dowry or to drive the victim to suicide. He claimed the allegations, even if true, do not meet these "basic ingredients." Similarly, he submitted that allegations concerning money withdrawal might not strictly fall under "criminal breach of trust" (Section 406 IPC) unless specific entrustment and dishonest misappropriation are proven. He also contended that mere verbal expressions, without intent to cause harm, do not constitute criminal intimidation under Section 506 IPC.

14. Finally, Mr. Majumdar argued that the entire proceeding is "vexatious and harassing in nature" and has been "instituted at the behest of a malicious complainant," serving no useful purpose and merely constituting a "gross abuse of the process of court" if the allegations, in their entirety, fail to disclose any cognizable offense against them. He supported his contention by citing the Hon'ble Supreme Court's observation in *G.V. Rao v. L.H.V. Prasad* [(2000) 3 SCC 693], which highlighted the need to discourage matrimonial litigation that needlessly involves entire families.

15. Conversely, the learned advocate for opposite party no.2, Mr. Debasis Kar and Learned Advocate for the State, Ms. Zareen N. Khan, vehemently opposed the prayer for quashing of the proceedings. They initially emphasized the fundamental principle that registration of an FIR is mandatory if the information discloses a cognizable offense, citing Hon'ble Supreme Court guidelines in cases like *Lalita Kumari* itself

(regarding mandatory registration upon disclosure of cognizable offense) and *Amit Kumar vs. Union of India* [(2015) INSC 384]. He submitted that the complaint, on its face, *prima facie* disclosed cognizable offenses, thus justifying immediate FIR registration.

16. They further argued that the High Court, when exercising its inherent powers under Section 482 Cr.P.C., should not conduct a 'mini-trial' or delve into disputed questions of fact. They asserted that evaluating the truthfulness or falsity of the allegations is a matter reserved for a full trial, where evidence can be properly adduced, examined, and tested. The State contended that sufficient material exists to proceed against multiple accused, implying a "common intention" or concerted action in inflicting an "aggravated form of torture." This directly challenged the petitioners' claims of separate residences and false implication, suggesting a collective responsibility.
17. They also submitted that "sufficient materials are available" to proceed with the case, mentioning that formal charges have not yet been framed due to "non-cooperation of parties." This implies that the investigation has indeed gathered enough evidence to warrant a trial, and the process should not be prematurely truncated.
18. Finally, the learned counsel referred to a (2017) *Calcutta High Court ruling* (the specific citation of which was not fully clarified), stating that "*the disputed question of fact victim defence was oriented... quashing would not be allowed without disputed question of fact is involved.*" The essence of this submission was that if disputed facts exist, particularly concerning the victim's assertions, quashing is generally impermissible.

19. To determine whether the inherent powers under Section 482 Cr.P.C. should be exercised to quash the criminal proceedings, either in whole or in part, I find several core questions that require judicial scrutiny. These questions are:

- a. Whether the allegations contained in the FIR, even when accepted at their face value, *prima facie* disclose the commission of cognizable offenses under Sections 498A, 406, and 506 IPC read with Sections 3/4 of the Dowry Prohibition Act, 1961, particularly as against Petitioner Nos. 2, 3, 4, and 5?
- b. Whether the alleged inordinate delay in lodging the FIR, coupled with the absence of a preliminary inquiry, warrants the quashing of the entire proceedings or specific aspects thereof.
- c. Whether the implication of petitioner Nos. 3, 4, and 5, who assert their residence in separate households, constitutes a case of false implication or an abuse of the process of law, thereby justifying the quashing of proceedings specifically against them.
- d. Whether the allegations are genuinely "omnibus" and vague, lacking specific details or overt acts attributable to each petitioner, particularly the extended family members, which would consequently fail to establish a case of individual culpability.

20. Indubitably, the inherent powers under Section 482 Cr.P.C. are vast, yet not limitless. They serve as a vital safety valve, to be employed sparingly, cautiously, and only in truly exceptional circumstances to

prevent a clear abuse of process or to secure the ends of justice. It is a sacrosanct principle, reiterated in *State of Haryana v. Bhajan Lal*, AIR 1992 SC 604, that such powers are generally not invoked to quash a First Information Report (FIR) or a criminal complaint if the allegations therein, taken at their face value and accepted in their entirety, disclose the commission of a cognizable offence. Conversely, quashing may be justified where the allegations don't disclose a cognizable offence, or where they are "so absurd and inherently improbable" that no prudent person can ever reach a just conclusion that there is sufficient ground for proceeding against the accused.

- 21.** Applying these established principles of judicial restraint to the instant matter, I first turn to the *prima facie* assessment of the alleged offences as they pertain to petitioner no. 1 (the husband). The complaint details several specific incidents involving petitioner no. 1. The prosecutrix alleges that he forcibly withdrew Rs.33,000/- from her ATM card, and later took another ₹30,000 from her father. More critically, on February 15, 2022, he is accused of brutally assaulting both the prosecutrix and her father, attempting to throttle her, and forcibly expelling her from the matrimonial home. These allegations, if substantiated, clearly satisfy the core ingredients of Section 498A IPC (cruelty, physical and mental), Section 406 IPC (criminal breach of trust related to dowry articles/money, though specific entrustment would need to be proven at trial), and Section 506 IPC (criminal intimidation). The Dowry Prohibition Act sections would also *prima facie* be attracted by the alleged demands and financial exploitations. Given the specificity and gravity of these allegations directly against the husband, they do not fall

into the category of "absurd and inherently improbable" assertions. Therefore, for petitioner no. 1, there is no demonstrable abuse of process concerning his prosecution, and the allegations warrant a full trial.

- 22.** However, a nuanced approach is required when examining the involvement of the other petitioners—Petitioner Nos. 2 (mother-in-law), 3 (sister-in-law), 4 (nephew), and 5 (sister-in-law). While the complaint does contain specific allegations of physical assault against petitioner nos. 2 and 4 on a particular date (February 15, 2022, accusing them of physically assaulting her and pulling her hair), and some involvement in financial matters by Petitioner Nos. 2 and 3 (instigation for money withdrawal), the overall pattern of accusation against petitioner nos. 3 and 5, particularly when viewed against their geographical separation, leans towards generalized implication rather than precise criminal acts of continuous cruelty. The petitioners' contention that petitioner nos. 3, 4, and 5 reside in "entirely separate households" (e.g., Prafullanagar, Habra, Basirhat) and even in different cities or countries (Mumbai, Hong Kong, Jamaica) during various periods of the alleged torture, is a significant factual assertion. While this geographical remoteness does not create an absolute immunity from all charges, it logically renders continuous, daily "torture" by them, within the matrimonial home, improbable. The prosecutrix's allegations, such as "in-laws expressed unhappiness," "forced household chores," "constant torture," and "denial of food for her infant" attributed generally to "in-laws" or multiple petitioners without precise attribution, squarely fall within the "omnibus" description cautioned against by the Supreme Court. In

Kans Raj v. State of Punjab [(2000) 5 SCC 207], the Hon'ble Supreme Court expressed concern over the tendency to "rope in all relations" of the husband, stating that "some over-implication is natural... but the Court has to guard against false implication." Similarly, in *Preeti Gupta v. State of Jharkhand* [(2010) 7 SCC 667], the Court specifically highlighted the common practice of making "bald allegations and fanciful averments" against family members without concrete particulars, especially against distant relatives, noting that such allegations cannot sustain charges like 498A IPC. The allegations of "instigation" or "unhappiness" against Petitioner Nos. 3 and 5, without more specific overt acts of sustained cruelty, are highly general and appear to be precisely the kind of "omnibus" accusations that these precedents warn against. While the specific incident of physical assault on Feb 15, 2022, involving P2 and P4 is concrete, the broader context of their alleged "continuous torture" over years, given their alleged remote residences, necessitates careful scrutiny.

- 23.** Beyond the nature of the allegations and geographical considerations, a critical procedural aspect emerges: the inordinate delay in lodging the FIR. The complaint was filed on July 16, 2022, whereas the last alleged incident is stated to be on February 15, 2022, indicating a gap of approximately five months. More significantly, the alleged continuous torture is claimed to have commenced immediately after the marriage in January 2020. This substantial period of silence (over two and a half years from the initial alleged cruelty, and five months from the final incident) clearly falls within the category of "abnormal delay" (over 3 months) as contemplated by the Hon'ble Supreme Court in *Lalita*

Kumari vs. Government of UP and Ors. [(2014) 2 SCC 1]. While delay, *per se*, does not automatically vitiate a criminal proceeding, its unexplained presence in matrimonial disputes is a significant factor in assessing the credibility of the prosecution's case. In such emotionally charged cases, unexplained delay often raises questions about exaggeration, afterthought, or the possibility of the complaint being a pressure tactic rather than a genuine cry for justice for immediate grievances. More importantly, *Lalita Kumari* explicitly mandates that in cases involving "matrimonial disputes/family disputes" and where there is "abnormal delay/laches in initiating criminal prosecution," a preliminary inquiry *may* be conducted to ascertain whether a cognizable offense has truly been committed. The purpose of this preliminary inquiry is precisely for "screening frivolous and malicious complaints" and "protecting individual liberty" from unwarranted criminal prosecution, thereby "preventing abuse of the criminal process." The police's absence of any preliminary inquiry in the instant case, despite this demonstrable delay and the clear matrimonial nature of the dispute, constitutes a pertinent procedural lapse that runs contrary to the authoritative guidelines of *Lalita Kumari*. The petitioners' reliance on this procedural lacuna is well-founded and cannot be brushed aside.

- 24.** This procedural lapse, highlighted by the petitioners, is further underscored by recent High Court decisions, such as those cited by the petitioners (e.g., CRR 2635 of 2021, *Rahul Kumar Shaw and others versus State of West Bengal and Another* and CRR 1383 of 2021 *Varun Goenka versus The State of West Bengal*), which have indeed underscored the necessity of such preliminary inquiries in similar

matrimonial disputes with unexplained delays. These rulings reinforce that while the State's contention regarding mandatory FIR registration upon disclosure of a cognizable offense is generally true, it does not negate the specific preliminary inquiry mandate in *Lalita Kumari* for the defined categories of cases, particularly when there are grave concerns about generalized implications or *mala fide* intentions.

- 25.** Against this backdrop of specific allegations, procedural lapses, and guiding judicial principles, the power under Section 482 Cr.P.C. is to be exercised sparingly and with caution, primarily to prevent abuse of the Court's process or otherwise to secure the ends of justice, as held in *State of Karnataka v. L. Muniswamy* [(1977) 2 SCC 699]. When allegations in the FIR are vague and omnibus, lacking specific instances or overt acts attributable to each accused, especially in cases involving multiple family members, it can warrant the quashing of proceedings. While the allegations against petitioner no. 1 (husband) are specific and do not fall into the omnibus category, the nature of the allegations against some of the other petitioners, particularly petitioner nos. 3 and 5, appears to be generalized, coupled with their claim of separate residences. While there are specific allegations against petitioner nos. 2 and 4 regarding physical assault on a particular date, the broader narrative of "constant torture by in-laws" could be considered omnibus unless distinct, continuous actions by each individual are clearly detailed. The lack of specific, sustained, and direct overt acts of cruelty by petitioner nos. 3 and 5, beyond general taunts or instigation, within the context of their separate residences, strongly suggests that their

implication may be generalized rather than precise and may well constitute an abuse of process.

- 26.** Consequently, in view of the exhaustive discussion and analysis of the submissions and the factual matrix, it is clear that the allegations against petitioner no. 1 (the husband) are sufficiently specific and severe to warrant a trial. There is no demonstrable abuse of process concerning his prosecution that would justify quashing the proceedings against him at this juncture.
- 27.** However, for the other petitioners—petitioner nos. 2 (mother-in-law), 3 (sister-in-law), 4 (nephew), and 5 (sister-in-law)—the situation demands a nuanced approach. While the complaint does contain specific allegations of physical assault against petitioner nos. 2 and 4 on February 15, 2022, and some involvement in financial matters by petitioner Nos. 2 and 3 (instigation for money withdrawal), the overall pattern of accusation against petitioner nos. 3 and 5, particularly when viewed against their geographical separation, leans towards generalized implication rather than precise criminal acts. The specific allegations against petitioner nos. 2 and 4, while concrete, are still nested within a broader complaint characterized by significant delay and general accusations against the "in-laws."
- 28.** Significantly, this nuanced assessment is strongly reinforced by a crucial procedural omission: the non-conduct of a preliminary inquiry, despite the discernible and inordinate delay in filing the FIR and the clear matrimonial nature of the dispute. This procedural lapse, coupled with the valid concerns regarding potential over-implication of extended family members due to omnibus allegations and geographical distances,

strongly indicates that judicial intervention is necessary to prevent an abuse of the legal process. To permit the proceedings to continue against these non-husband petitioners without the benefit of such a preliminary assessment, especially when many allegations against them appear omnibus and potentially indicative of over-implication, would undoubtedly amount to an abuse of the due process of law.

- 29.** While I firmly uphold the prosecutrix's right to seek justice against genuine perpetrators, must equally ensure that the formidable machinery of criminal law is not utilized as a tool for vengeance or to harass individuals who may have been falsely implicated. A preliminary inquiry will serve as a crucial filter, ensuring that only those against whom credible and specific material exists are subjected to the full rigors of a criminal trial, thereby securing the ends of justice for all parties involved in a fair and transparent manner.
- 30.** In matrimonial disputes marked by an inordinate and unexplained delay in filing the First Information Report (FIR), a preliminary inquiry is mandatory as per the guidelines enunciated in *Lalita Kumari v. Government of UP (2014) 2 SCC 1* before proceeding with criminal charges, especially when allegations against extended family members appear vague or omnibus and their active and continuous involvement is rendered improbable by factors such as geographical remoteness. The purpose of this preliminary inquiry is to prevent the abuse of the legal process and ensure that only credible cases with specific and substantiated allegations are pursued to trial against all implicated parties, while simultaneously protecting individuals from generalized or malicious implication.

- 31.** This principle underscores the High Court's role in balancing the rights of the complainant to justice against the potential for abuse of the criminal process. While FIR registration is mandatory for cognizable offenses, the *Lalita Kumari* judgment provides a specific carve-out for matrimonial disputes and cases with significant delay, mandating a preliminary inquiry. This inquiry acts as a crucial filtering mechanism, particularly to scrutinize vague or omnibus allegations against distant relatives, who are often "roped in" without specific overt acts. The delay in lodging the complaint further heightens the need for such an inquiry to assess veracity and avoid proceedings being driven by ulterior motives. By ordering a preliminary inquiry, the Court ensures that only those against whom credible material exists after due preliminary assessment are subjected to the rigors of a full criminal trial, thereby upholding the integrity of the justice delivery system and preventing harassment based on generalized accusations.
- 32.** In culmination of this detailed analysis, I conclude that while the allegations against petitioner no. 1 (the husband) are sufficiently specific and direct to warrant continuation of proceedings, the case against the other petitioners (mother-in-law, sisters-in-law, and nephew) warrants further, mandatory scrutiny. The procedural lapse of not conducting a preliminary inquiry, coupled with valid concerns regarding potential over-implication arising from omnibus allegations and geographical distances, is a significant flaw that demands rectification to prevent an abuse of the legal process.
- 33.** Therefore, the application for quashing of proceedings arising out of Barrackpore Women's Police Station Case No. 39 of 2022 dated

16.07.2022, under Section 498A/406/506 of IPC read with Section 3/4 of the Dowry Prohibition Act, 1961, corresponding to G.R. Case No. 6784 of 2022, is partially allowed as follows:

- i. The application for quashing of the aforesaid criminal proceedings against Petitioner No. 1, Raju Adhikary (husband), is hereby dismissed.
- ii. The criminal proceedings against petitioner no. 1 (Raju Adhikary) shall continue in accordance with the provisions of law. The Learned Chief Judicial Magistrate, Barrackpore, is directed to proceed with his trial expeditiously and in accordance with law.
- iii. In view of the inordinate and unexplained delay in lodging the FIR, coupled with the fact that it is a matrimonial dispute falling within the guidelines of *Lalita Kumari v. Government of UP (2014) 2 SCC 1*, it is essential that a preliminary enquiry be conducted.
- iv. The Investigating Agency / Investigating Officer concerned is hereby directed to conduct a preliminary enquiry specifically regarding the active and direct involvement of petitioner no. 2 (mother-in-law), Petitioner No. 3 (sister-in-law), petitioner no. 4 (nephew), and Petitioner No. 5 (sister-in-law) in the alleged commission of offenses under Sections 498A/406/506 of IPC and Sections 3/4 of the Dowry Prohibition Act.
- v. This preliminary enquiry shall be conducted by giving notice to all concerned parties, including petitioner nos. 2, 3, 4, and 5, and the opposite party no. 2 (complainant), providing them a

fair opportunity to present their respective positions and relevant materials.

vi. The Investigating Officer/ Agency shall take endeavour to complete this preliminary enquiry and submit a comprehensive report to the Learned Chief Judicial Magistrate, Barrackpore, within a period of six weeks from the date of this order.

vii. The criminal proceedings against petitioner nos. 2, 3, 4, and 5 in Barrackpore Women's Police Station Case No. 39 of 2022 dated 16.07.2022 shall remain stayed until the submission of the aforesaid preliminary enquiry report.

viii. Upon receipt of the preliminary enquiry report, the Learned Chief Judicial Magistrate, Barrackpore, shall proceed in accordance with law.

ix. If the report indicates insufficient material or no credible evidence to proceed against any or all of petitioner nos. 2, 3, 4, and 5, the Learned Magistrate shall pass appropriate orders, including their discharge, without requiring further recourse to this Court. Conversely, if the report substantiates clear and specific involvement, the proceedings against such implicated petitioners shall resume.

x. All parties are directed to cooperate fully with the preliminary enquiry.

34. The CRR 3040 of 2022 along with connected applications, if any, are accordingly disposed of in the aforesaid terms.

35. There shall be no order as to costs. xiii. Interim order/ orders, if any, stand vacated.

- 36.** Let a copy of this order be communicated to the Learned Chief Judicial Magistrate, Barrackpore, 24 Parganas (North), and the Barrackpore Women's Police Station for necessary compliance.
- 37.** Urgent photostat copy of this judgment may be provided to the parties, if applied for, upon compliance with requisite formalities.

(Uday Kumar, J.)