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Ct.05

CRR 2969 of 2019
With
IA No.CRAN 1 of 2019 (CRAN 4412 of 2019)

Sri Kaustav Dey
Vs.
The State of West Bengal and Anr.

Mr. Abir Chakraborty
Mr. Victor Chatterjee
...for the petitioners

Mr. Sujan Chatterjee
Mr. Sanat Kumar Das
Mr. Satadru Lahiri
Mr. Santanu Das
...for O.P. No.2

Mr. S. G. Mukherjee, Ld. P.P.
Mr. Arijit Ganguly
...for the State

The petitioner is the husband of the opposite party No.2. The instant application was filed by the petitioner praying for quashing of all further proceedings in respect of G.R. Case No.7200 of 2016 arising out of Sonarpur Police Station Case No.2229 of 2016 dated 04.10.2016 under Sections 498A/406/307/34 of the Indian Penal Code.

The learned advocates for the petitioner, defacto complainant/opposite party No.2 and the learned P.P. representing the State of West Bengal are present. It is submitted by all the learned advocates in same tune that dispute between the

parties has amicably been settled. The petitioner and the opposite party No.2 have been divorced by a decree of mutual divorce under Section 28 of the Special Marriage Act. At present they have no grievance with regard to the allegation of cruelty, torture, misappropriation of stridhan property or any action of offence allegedly inflicted upon the defacto complainant /opposite party No.2 by the petitioner.

Under such circumstances and considering the fact that where marital tie has already been severed, the above mentioned G.R. Case No.7200 of 2016 arising out of Sonarpur Police Station Case No.2229 of 2016 dated 04.10.2016 under Sections 498A/406/307/34 of the Indian Penal Code is quashed and CRR 2969 of 2019 is allowed.

Along with the disposal of CRR 2969 of 2019 CRAN 4412 of 2019 is treated to be disposed of.

(Bibek Chaudhuri, J.)