

D/L. 11.
16.10.2020
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C. R. R. No. 1342 of 2020
With
IA No: CRAN 1 of 2020
&
CRAN 2 of 2020
(Via Video Conference)

In the matter of: Amitava Chowdhury and another

... Petitioners.

Ms. Alotriya Mukherjee

... for the Petitioners.

Mr. Saibal Bapuli,
Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan

... for the State.

Mr. Ankit Agarwal

...for the opposite party no. 2/defacto complainant.

The petitioner undertakes to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

In this revisional application, the petitioners, being the husband and mother-in-law of the victim respectively, have sought for quashing of the proceeding arising out of Beliaghata Police Station Case No. 06 of 2015 dated January 8, 2015 under Sections 498A/406/323/34 of the Indian Penal Code corresponding to G. R. Case No. 84 of 2015, which was instituted before the learned Additional Chief Judicial Magistrate, Sealdah, South 24-Parganas, and thereafter transferred and is

presently pending before the learned Judicial Magistrate, 3rd Court, Sealdah, South 24-Parganas, *inter alia*, on the ground stated in the application.

The petitioners and the defacto complainant have filed an application under Section 13B of the Hindu Marriage Act, 1955 for mutual divorce by way of dissolution of their marriage solemnized on February 3, 2014 on the conditions settled between them wherein the payment schedule has been annexed and shows that part payments have been made towards the maintenance and so also 'stridhan articles' have been given in possession of the defacto complainant. Accordingly, the petitioners have mutually agreed to withdraw all the cases pending by and between them, being maintenance case and execution cases arising thereof and so also the complaint case, being C 179 of 2015.

Having heard Mr. Ankit Agarwal, learned advocate appearing for the defacto complainant, who is agreed upon the terms and does not want to proceed with the criminal or any other cases against the present petitioners on the ground of mutual settlement between the petitioners and the defacto complainant.

Since the parties have entered into compromise and settled their dispute, upon hearing, Ms. Alotriya Mukherjee, learned advocate for the petitioners, and Mr. Saibal Bapuli, learned advocate for the State Mr. Ankit Agarwal, learned advocate for the defacto complainant, the prayer for quashing of the proceeding in connection with Beliaghata Police Station Case under reference is considered.

Accordingly, Beliaghata Police Station Case No. 06 of 2015 dated January 8, 2015 under Sections 498A/406/323/34 of the Indian

Penal Code corresponding to G. R. Case No. 84 of 2015 presently pending before the learned Judicial Magistrate, 3rd Court, Sealdah, South 24-Parganas, be quashed.

Thus, C.R.R. No. 1342 of 2020 with CRAN 1 of 2020 and CRAN 2 of 2020 are disposed of.

(Shivakant Prasad, J.)