

**CRR 774 of 2021
With
CRAN 01 of 2021
(Through Video Conference)**

In Re: - An application under Section 482 of the Code of Criminal Procedure, 1973.

And

In the matter of: Rahul Kumar Das & Ors.

.... Petitioners

Mr. Nilanjan Sen,
Mr. Smarajit Basu

...For the Petitioners

Mr. Rana Mukherjee,
Ms. Sujata Das

...For the State

Mr. Amit Pan

...For the Opposite Party No. 2

This is an application for quashing of the proceeding being G.R. Case No. 3131 of 2017 under Sections 498A/34 of the Indian Penal Code, 1860 and also under Section 3 and 4 of Dowry Prohibition Act, 1961 pending before the learned Additional Chief Judicial Magistrate, Sealdah.

Mr. Nilanjan Sen, learned advocate, appearing for the petitioner and Mr. Amit Pan, learned advocate, appearing for the opposite party no. 2 jointly submit that the disputes between the parties have been amicably settled in terms of the memorandum of settlement dated December 2, 2020, and following that a decree of divorce has also been passed by the Principal Judge, Family Courts at Ranchi on December 19, 2020.

The criminal proceeding is arising out of the matrimonial disputes. When the parties have resolved the disputes amicably, the continuation of the criminal proceedings will be an abuse of process of law. Having regard to the fact that the accused persons have no criminal antecedents and alleged offences have no serious impact in the society, I am of the opinion that in view of the law laid down at **(2019) 5 SCC 688 (*State of Madhya Pradesh v. Laxmi Narayan*)**, the criminal proceeding should be quashed in exercise of power conferred under Section 482 of the Code of Criminal Procedure, 1973.

The criminal proceeding being G. R. Case No. 3131 of 2017 under Sections 498A/34 of the Indian Penal Code, 1860 and also under Section 3 and 4 of Dowry Prohibition Act, 1961 pending before the learned Additional Chief Judicial Magistrate, Sealdah stands quashed accordingly.

The application being CRR 774 of 2021 and CRAN 01 of 2021 are disposed of.

(Kausik Chanda, J.)