

**CRR 1563 of 2021**

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

In the matter of : **Amit Saha**

**..... petitioner**

**Mr. Avishek Prasad**

**....For the petitioner**

**Mr. Avinaba Patra**

**....For the opposite party no. 2**

In this application, an interim order was passed on August 17, 2021, staying all further proceeding of G.R. Case No. 3454 of 2019, under Sections 420/120B of the Indian Penal Code, 1860, for a period of six weeks.

The petitioner/accused and the de-facto complainant/opposite party no. 2 were asked to appear personally today. An attempt was made to settle the dispute amicably. The opposite party no. 2 was willing to compromise and settle the dispute upon payment of Rs.2,00,000/- from the petitioner.

The petitioner, however, was not willing to make such payment and settle the dispute.

Since the settlement has failed, the matter is taken up for hearing on merit.

In this case, the investigating agency has filed a charge sheet in connection with G.R. Case No. 3454 of 2019, under Sections 420/120B of the Indian Penal Code, 1860, pending before the learned Magistrate, 2<sup>nd</sup> Court at Malda.

The complaint discloses that the petitioner and opposite party no. 2 met through an arrange marriage set up, and after

mutual interaction and talks, both the parties with the consent of their families fixed their marriage on July 24, 2019. The opposite party no. 2 also alleges to have spent time with the petitioner during her courtship days before marriage and he had mentioned nothing as to his love for someone else. The opposite party no. 2 alleges to have spent about Rs. 5 lakh for the arrangement of marriage, printed the wedding cards, and in Ashirbaad gifted him gold chain, garments, and cash worth Rs. 50,000/-. After the premarital rituals, like *Ashirbaad*, the petitioner suddenly declined to marry the opposite party no. 2, as he was in love with another lady. She alleges it as a case of cheating on the part of the petitioner.

Since charge sheet has already been filed in this case and the date for the charge hearing has been fixed by the learned Magistrate in the Court below, I am not inclined to interfere with the proceeding, at this stage.

The revisional application is disposed of with a direction upon the learned Magistrate in the Court below to conclude the charge hearing as early as possible, preferably, within a period of three months from date.

The interim order passed on August 17, 2021, stands vacated.

The application being **CRR No. 1563 of 2021**, is dismissed.

It is made clear that the learned Magistrate in the Court below will decide the case without being influenced by any of the observation made by this Court in this revisional application.

All parties shall act upon the server copy of this order duly downloaded from the official website of this Court.

**(Kausik Chanda, J.)**