

18.08.2021
Item no.4
Ct. No.34
CHC

C.R.R. No.3766 of 2019
(Via Video Conference)

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

AND

In the matter of:-

Navita Garg
... petitioner

Mr. Soumya Nag,
Mr. Aditya Tiwari
...for the petitioner

Mr. Imran Ali,
Mrs. Debjani Sahu
...for the State

The present revisional application was preferred in connection with Kalimpong Police Station Case no.231 of 2017 dated 29.08.2017 under Sections 498A/500 of the Indian Penal Code.

The petitioner before this Court happens to be the de facto complainant and opposite party nos.2 to 4 happen to be the husband and other inmates of the matrimonial home.

Pursuant to the order dated 06.08.2021, the concerned Officer-in-Charge, Rangpo Check Post Police Station, District Kalimpong recorded the statement of the de facto complainant namely, Nabita Garg. The statement reflects that an amicable settlement was arrived at before the Supreme Court Mediation

Centre between the husband and the present petitioner and as such, the lady in her statement has expressed her opinion that she does not wish to pursue her case any further.

Statement so submitted by the learned advocate for the State along with the forwarding letter be kept with the record.

Having regard to the statement so recorded and averments made in this application before this Court, I am of the view that further continuance of the proceedings would be an abuse of the process of the Court as the genesis of the case relates to matrimonial dispute and the same has been settled.

Accordingly, all further proceedings relating to Kalimpong Police Station Case No.231 of 2017 dated 29.08.2017 (G.R. Case No.297 of 2017) pending before the jurisdictional court at Kalimpong is hereby quashed.

The revisional application being C.R.R.3766 of 2019 is hereby allowed.

Pending application, if any, is consequently disposed of.

Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Tirthankar Ghosh, J.)