

D/L208
June 10,
2022
Bpg.

C.R.R. No.295 of 2022
With
CRAN 1 of 2022
With
CRAN 2 of 2022

In Re: An application under Section 482 read with Section 401 of the
Code of Criminal Procedure, 1973;

Rakesh Sikder & Ors.
Versus
The State of West Bengal & Anr.

Mr. Susnigdho Bhattacharyya.
...for the petitioners.

Mr. Debapriya Majumder.
...for opposite party no.2.

Ms. Faria Hossain,
Mr. Anand Keshari.
...for the State.

Report submitted by Mr. Keshari, learned advocate
appearing for the State be kept with the record.

Report incorporates the statement under Section 164 of
the Code of Criminal Procedure as well as a marriage registration
certificate.

Records reflect that the lady is of 24 years age. If the
contents of the statement of lady under Section 164 of the Code of
Criminal Procedure is considered then it is to be appreciated that
the lady after initiation of the case, was married to present
petitioner no.1. and was also leading a peaceful conjugal life with
the petitioner no.1. The statement also reflects that she does not
intend to pursue the case as she is leading a peaceful conjugal life.

Having regard to the statement of the private opposite party no.2, I am of the opinion that continuance of the proceedings may have adverse effect in the peaceful conjugal life of the petitioner no.1 and the private opposite party no.2.

Having regard to the same, I am of the opinion that further continuance of the proceedings arising out of Bagdah Police Station Case No.699 of 2020 dated 26.10.2020 (G.R. Case No.2680 of 2020) under Sections 376/417/323/506/34 of the Indian Penal Code against all the petitioners are unwarranted and is hereby quashed.

Accordingly, CRAN 1 of 2022 along with CRR 295 of 2022 is allowed.

Pending connected applications, if any, are consequently disposed of.

Needless to state that the aforesaid order is restricted to the facts of the present case and will not have a bearing on any other case concern.

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

(Tirthankar Ghosh, J.)