

19.05.2022

Item No.18
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 784 of 2013

**Sagar Ghosh & Ors.
versus
Bandana Ghosh & Anr.**

Mr. Arijit Ganguly,
Ms. Debjani Sahu ... For the State.

The present revisional application has been preferred challenging Dhubulia Police Station Case No. 54 of 2009 dated 10.02.2009 under Section 498A of the Indian Penal Code.

Earlier by orders dated 06.05.2022 and 13.05.2022, a report was called for from the Officer-in-Charge of the concerned police station to assess the willingness of the *de facto* complainant to pursue the litigation.

Today, a report dated 17.05.2022 has been submitted after recording the statement of the opposite party no.1 viz. Bandana Ghosh who happens to be the complainant. The said report reflects that for the last ten years, the opposite party no.1 is happily leading her marital life and she does not intend to proceed with the criminal case. Let such report along with the enclosed statement be kept on record.

Having regard to the fact that the differences and disputes arose out of matrimonial discord and there has been change of circumstances as has been reported by the Officer-in-Charge, Dhubulia Police Station, I am of the opinion that

further continuance of the proceedings arising out of Dhubulia Police Station Case No. 54 of 2009 dated 10.02.2009 including the charge-sheet filed therein is unwarranted and continuance of the same is bound to cause miscarriage of justice.

Accordingly, all further proceedings of Dhubulia Police Station Case No. 54 of 2009 dated 10.02.2009 pending before the learned Chief Judicial Magistrate, Krishnanagar, Nadia are hereby quashed.

With the aforesaid observations, the revisional application being CRR 784 of 2013 is allowed.

Interim order, if any, is hereby made absolute.

All pending connected applications, if any, are consequently disposed of.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)