

29.07.2022
Item No.04.
Mithun
Ct.42

IA No: CRAN/1/2022, CRAN/2/2022
in
CRR 1791 of 2022

Sri.Arnab Sahoo & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Malay Bhattacharyya, Adv.
Mr. Pradip Paul, Adv.
Mr.Subhrajyoti Ghosh, Adv.

...for the petitioners.

Mr. Gourab Ghosh, Adv.

...for the O.P. No.2 .

Mr. Saswata Gopal Mukherjee, Ld.P.P.
Mr. Anwar Hossain, Adv,
Ms. Manisha Sharma, Adv.

...for the State.

CRAN 2 of 2022 is an application for quashing further proceedings in G.R. Case No.1707 of 2019 arising out of Debra Police Station Case No.265 of 2019 under Sections 498A/325/306/506/34 of the Indian Penal Code pending before the Court of the learned Chief Judicial Magistrate, Paschim Medinipur on the ground that a compromise has been effected by and between the parties during the pendency of the aforesaid G.R.Case and the de-facto complainant does not want to further proceed with the said case. On the last occasion, this Court directed the Investigating Officer to record the statement of the victim of the aforesaid case and submit a report as

to whether the dispute has been amicably compromised or not. The Officer-in-Charge of Debra Police Station recorded the statement of Nivedita Gharami (Sahoo), wife of petitioner No.1, Arnab Sahoo. In her statement it is specifically stated that the dispute between her and her husband and other matrimonial relations has been amicably settled out of Court. Therefore, she and her father being the de-facto complainant do not want to proceed with the said case pending before the learned Chief Judicial Magistrate at Paschim Medinipur.

It is needless to say that Debra Police Station Case No.265 of 2019 was registered on the basis of some allegations relating to matrimonial and family disputes. This Court under Section 482 of the Code of Criminal Procedure has the power to quash a criminal proceeding arising out of a matrimonial and family disputes in view of the guidelines made by the Hon'ble Supreme Court in ***Parbatbhai Aahir alias Parbatbhai Bhimsinhbhai Karmur & Ors. Vs. State of Gujarat & Anr.*** reported in ***(2017) 9 Supreme Court Cases 641.***

In view of such circumstances, this Court accepts the joint compromise petition filed by the parties.

Further proceedings in G.R.Case No.1707 of 2019 arising out of Debra Police Station Case No.265 of 2019 be quashed.

The learned Magistrate is directed to pass necessary order of dropping the proceeding and discharging the accused persons in the record of G.R. Case No. 1707 of 2019.

The report submitted by the Officer-in-Charge of Debra Police Station in connection with Debra Police Station Case No.265 of 2019 be kept with the record.

(Bibek Chaudhuri, J.)