

05.12.2022
S/L No.10
KS

C.R.R. 1694 of 2021
With
IA No. CRAN 1 of 2021
+
CRAN 2 of 2022
Subhankar Rana
-Vs.-
The State of West Bengal & Ors.

Mr. Malay Bhattacharya
Mr. Pradip Paul
Ms. S. Ghosh
..... For the Petitioner
Mr. Gourab Ghosh
Ms. S. Mondal
.....For the O.P.
Mr. Saswatagopal Mukherjee, Ld. P.P.
Mr. Saryati Datta
.....For the State

The present revisional application has been preferred challenging the proceedings relating to G. R. (E) Case No.278/2020 arising out of Patashpur Police Station Case No.133 of 2020 dated 13.03.2020 under Sections 363/ 366 of the Indian Penal Code.

Learned advocate for the petitioner submits that in connection with the aforesaid case, the Investigating Agency on completion of investigation submitted charge-sheet. On a consideration of the submissions advanced before this Court a report was called for on behalf of the State. The said report was prepared by the Officer-in-Charge of Patashpur Police Station which reflects that Mallika Bera (Rana) is presently staying at the house of Subhankar Rana. Both of them are married and the child/son is of 11 months having been born

out of the relationship/wedlock. The lady stated that at the time when she went away with Subhankar Rana she was below 18 years and immediately after attaining 18 years of age, in presence of both the family members marriage was solemnized. At present she do not intend to continue with the criminal case and it has further been submitted that pendency of the criminal case may disrupt her happy conjugal life.

Considering the change of circumstances and the existing circumstances with its social impact, I am of the opinion that further continuance of Patashpur Police Station Case No.133 of 2020 (G. R. (E) Case No.278/2020) is unwarranted and, as such, the proceedings are quashed. Report submitted by the State be kept with the record.

The order passed herein is restricted to the facts of the present case and will not have any binding effect on other similar type of cases which are to be independently decided.

Accordingly, C.R.R. 1694 of 2021 is allowed.

Pending applications, if any, are consequently disposed of.

All parties are directed to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

(Tirthankar Ghosh, J.)