

07.04.2022

Item No.3
Ct.No.34
dc.

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

**C.R.R. 1848 of 2018
with
CRAN 1 of 2019 (Old No. CRAN 763 of 2019)**

**Sri Protick Ghosh @ Pratick Ghosh & Ors.
versus
The State of West Bengal & Anr.**

In Re: An Application under Section 482 of the Code of Criminal Procedure, 1973 filed for quashing of Charge-Sheet/ Final Report in connection with Jadavpur Police Station Case No. 362 dated 05.09.2015 (A.C.G.R. No. 5267 of 2015) under Sections 498A/406/34 of the Indian Penal Code pending before the learned Additional Chief Judicial Magistrate, Alipore.

Mr. Imran Siddiqui ... For the Petitioners.

Mr. S. G. Mukherjee, Ld. P.P.,
Ms. Anasuya Sinha,
Mr. Pinak Kumar Mitra ... For the State.

Mr. Debrup Bhattacharjee ... For the Opposite Party No.2.

A joint compromise application has been filed in connection with Jadavpur Police Station Case No. 362 dated 05.09.2015 under Sections 498A/406/34 of the Indian Penal Code.

Earlier by an order dated 31.03.2022, the learned advocate for the State was directed to submit a report after recording the statement of the opposite party no.2 viz. Smt. Ruby Ghosh nee Sarkar. Ms. Sinha, learned advocate appearing for the State has submitted a report. Let the said report dated 05.04.2022 be kept on record.

It appears from the report that the Officer-in-Charge, Jadavpur Police Station has observed that as the opposite

party no.2 was out of station, she could not give her statement physically. However, she sent an email wherein she stated that the disputes, so far as it relate to criminal proceedings, have been amicably settled as there has been mutual divorce between the petitioner no.1 and the opposite party no.2 and lastly, she has expressed that further proceedings of Jadavpur Police Station Case No. 362 dated 05.09.2015 under Sections 498A/406/34 of the Indian Penal Code be closed.

Having regard to the fact that the disputes and differences arose out of matrimonial discord and the de facto complainant/opposite party no.2 has entered into an amicable settlement, I am of the opinion that further continuance of the proceedings in the changed circumstances would be an abuse of process of the Court. Accordingly, all further proceedings relating to Jadavpur Police Station Case No. 362 dated 05.09.2015 under Sections 498A/406/34 of the Indian Penal Code including the charge-sheet filed therein be hereby quashed.

Thus, the application being CRAN 1 of 2019 (Old No. CRAN 763 of 2019) along with CRR 1848 of 2018 is allowed.

All other 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.)