

13.12.2022
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SB
Ct. No.236

CRR 2028 of 2008

In the matter of : Himadri Sekhar Roy & Ors.

Mr. Sourav Chatterjee
Mr. Priyom Biswas ... for the petitioners

Mr. S.G. Mukherjee, Ld. P.P.
Mr. Imran Ali
Ms. Debjani Sahu ... for the State

Affidavit of service filed by the petitioners is taken on record.

This is an application under Section 482 of the Code of Criminal Procedure is directed with a prayer of quashment of proceeding being G.R. Case No. 366 of 2007 arose out of Durgapur P.S. Case No. 124 of 2007 dated 17.05.2007 under Sections 498A/506/34 of the Indian Penal Code.

Mr. Chatterjee, learned counsel appearing on behalf of the petitioners submits that the dispute between the parties have amicably been settled. A report was called for and S.I. Sri Sovon Saha of Durgapur Police Station forwarded a report stating inter alia that Smt. Nita Roy, the de facto complainant of the aforesaid case is unwilling to proceed with the case, which further indicates that the parties might have settled their dispute.

Under such circumstances, keeping the proceeding pending before the learned Trial Court would not serve any effective purpose rather it would be an abuse of process of law.

Hence, invoking the inherent the jurisdiction under Section 482 of the Code of Criminal Procedure, I am inclined to quash the proceeding along with application if any.

The copy of the order be sent down to the learned Trial Court for information and necessary action.

The parties shall act upon the server copy 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 completion of requisite formalities.

(Siddhartha Roy Chowdhury, J.)