

07-02-2022
Subha
Item-06
Ct -.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

(Via video-conference)

C.R.R 2437 of 2018
with
CRAN 4 of 2022

In Re: An application under Sections 401/482 of the Code of Criminal Procedure.

In the matter of : Sri Goutam Das & Anr. ...Petitioners.

Ms. Aiswaryjya Gupta

....for the petitioners.

Mr. Arindam Jana

Mr. Soumyajit Chatterjee

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

Mr. S. G. Mukherji, Id. PP

Mr. Imran Ali

Mrs. Debjani Sahu

.....for the State.

The report submitted by the Officer-in-Charge, Palashipara P.S., KPD dated 3rd February, 2022 through the learned advocate appearing for the State be kept with the record.

Ms. Gupta, learned advocate appears on behalf of the petitioners.

Mr. Jana, learned advocate appears on behalf of the opposite party no. 2.

Mr. Mukherji, learned Public Prosecutor appears on behalf of the State.

The petitioners before this court are the husband, father-in-law and mother-in-law of the opposite party no. 2 namely, Smt. Ahana Das.

A report has been submitted on 8th February, 2022 by the Inspector-in-Charge, Suri Police Station to the effect that on enquiry, it could be learnt that the petitioner no. 2 namely, Sri Subhas Chandra Das, son of Sri Sudhir Kumar Das of Suri Bhattacharjee Para, Ward No. 6, PS- Suri, District – Birbhum expired on 20.10.2020.

Accordingly, the revisional application on behalf of the petitioner no. 2, is dismissed as not pressed.

So far as the husband/petitioner no. 1, namely, Sri Goutam Das and the mother-in-law, petitioner no. 3, namely Smt. Sovana Das are concerned, the revisional application was considered on the anvil of the report submitted by the Officer-in-Charge, Palashipara P. S. A statement to that effect was recorded by the concerned Officer-in-Charge on 2nd February, 2022.

The report reflects that the complainant is not interested in pursuing the litigation against both the petitioners. The subject-matter of the case relate to matrimonial discord and no other heinous offences are involved.

Having regard to the statement of the victim enclosed along with the report as also the joint compromise petition i.e., CRAN 4 of 2022 which has been filed before this court, I am of the

opinion that further continuance of the Palashipara P. S. Case No. 83 of 2018 dated June 1, 2018 as also the orders passed therein are unwarranted.

Thus, all further proceedings relating to Palashipara P. S. Case No. 83 of 2018 under Sections 498A/34 of IPC is, hereby, quashed.

Accordingly, the revisional application being CRR 2437 of 2018 along with CRAN 4 of 2022 is allowed.

Interim orders, passed herein, are made absolute.

All pending applications, if any, in connection with the revisional application, are consequently disposed of.

All concerned parties are to act in terms of a website copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]