

19-04-2022
Bpg
Item no.7
Ct. no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

C.R.R 2640 of 2018
with
IA No. CRAN 1 of 2019(Old CRAN No. 1174 of 2019)

In the matter of : **Sri Soumyadeep Pal & Ors.**petitioners.

In Re : An application under 482 of the Code of Criminal Procedure,
1973;

Mr. Rajdeep Bhattacharya,
Mr. Sanjib Sankar Majumder
....for the petitioners.

Mr. Saswata Gopal Mukherji, ld. PP,
Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan
Ms. Sreeparna Das
....for the State.

The present revisional application has been preferred challenging the proceedings arising out of Baruipur Police Station Case No. 2550 of 2016 corresponding to G. R. Case No. 7783 of 2016 under sections 498A/325/34 I.P.C with adding Section 406 of the Indian Penal Code.

The revisional application was preferred challenging the proceedings but, however, during the pendency of the revisional application, the petitioners and the private opposite party no.2 entered into a compromise and consequently CRAN 1174 of 2019 was filed by way of a joint compromise petition.

Earlier by an order dated 1st April, 2022, a report was called for by this court through the learned advocate appearing for the State.

Mr. Sanjib Kumar Dan, learned advocate for the State has submitted a report enclosing a communication of the de facto complainant/opposite party no. 2 as also her further statement being recorded by a Sub-Inspector of Police deputed by the Officer-in-Charge, Baruipur Police Station. Both the communication and the further statement so recorded reflect that the de facto complainant/opposite party no. 2 does not intend to pursue the present litigation as she is already settled in life with someone else. Mr. Dan also draws the attention of this Court from the case diary so available that the stridhan articles were seized in course of investigation and by way of zimmanama, the same is in the custody of the complainant.

Let the report be kept with the record.

Having regard to the report so submitted by the police authorities which enclosed the statement of the complainant along with the communication made to the Inspector-in-Charge, Baruipur Police Station, I am of the view that further continuance of the proceedings so far as the present petitioners are concerned are unwarranted in the eye of law in view of the criminal case being registered pursuant to matrimonial discord. Accordingly, all further proceedings arising out of Baruipur P. S Case No. 2550 of 2016 (G.R. Case No.7783 of 2016 and the charge-sheet filed therein before the jurisdictional court is hereby quashed.

As such, the present revisional application being CRR 2640 of 2018 along with the connected application being CRAN 1174 of 2019 is allowed.

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

Interim order, if any, is hereby made absolute.

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

[Tirthankar Ghosh, J]