

01.09.2022

Sl. No. 09

Srimanta

Ct.No. 42

IA No.:CRAN/1/2022

in

CRR/3075/2022

In the matter of : **Binayak Mitra**

...petitioner.

Mr. Apalak Basu, Adv.,
Mr. Wrickbrata Roy, Adv.,
Mr. Sayak Chakraborti, Adv.

...for the petitioner.

Mr. Saswata Gopal Mukherjee, Ld. P.P.,
Ms. Faria Hossain, Adv.,
Mr. Anand Kesari, Adv.

...for the State.

The instant revision has been filed for quashing of the proceedings being CGR No. 253/2022 arising out of Lake Police Station Case No. 24/2022 dated 28th January, 2022 under Section 498A of the Indian Penal Code. The opposite party no. 2 is the *de facto* complainant of Lake Police Station Case No. 24/2022. During the pendency of the instant revision, the parties are filed a joint application stating, *inter alia*, that the dispute between them has been amicably settled and they do not want to proceed with CGR Case No. 253/2022. This Court passed an order on 26th August, 2022 directing the *de facto* complainant to appear before the Investigating Officer/Officer-in-Charge of Lake Police Station and made a statement as to whether she has prayed for settlement of the dispute voluntarily with free consent and without any misrepresentation.

The Investigating Officer of the case has filed a report which has been submitted by the Learned Public Prosecutor-in-Charge. It appears from the said report that the *de facto* complainant in writing informed the Investigating Officer that

on due intervention of her friends and family members the dispute between her and her husband, petitioner herein has been amicably settled and, therefore, she does not want to proceed with CGR Case No. 253/2022.

In view of such statement made by the *de facto* complainant and considering the fact that the dispute arose out of matrimonial discord, the joint application for compromise is accepted.

On the basis of the said joint application for compromise and settlement, further proceeding in CGR Case No. 253/2022 pending before the Learned Chief Judicial Magistrate at Alipore be quashed.

Parties are at liberty to act on the server copy of this order.

(Bibek Chaudhuri, J.)