

Form J(1)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

**IA No.:CRAN/1/2022
in
CRR 1479 of 2022**

**Dulal Chandra Dey & Anr.
Vs.
State of West Bengal & Ors.**

**For the petitioner : Mr. Pawan Kumar Gupta, Adv.,
Mr. Subrata Mukherjee, Adv.,
Ms. Sofia Nesar, Adv.,
Mr. Santanu Sett, Adv.**

**For the State : Mr. S. G. Mukherjee Ld. P.P.,
Mr. Anwar Hossain, Adv.,
Ms. Debjani Sahu, Adv.**

Judgement on : 25.08.2022.

Bibek Chaudhuri, J.

The petitioners being the parents-in-law of the opposite party no. 2 has filed the supplementary affidavit praying for adding their son, namely, Samrat Dey as petitioner no. 3 in the instant revision. The supplementary affidavit is taken on record. Prayer made by the petitioners is allowed.

The petitioners are permitted to implead Samrat Dey as petitioner no. 3 in the instant revision.

The petitioners being the parents-in-law of the opposite party no. 2 has filed the instant revision praying for quashing of all further proceedings in ACGR Case No. 5396/2019 pending before the Learned Additional Chief Judicial Magistrate at Alipore arising out of Parnasree Police Station (Behala Women Police Station) Case No. 230/2019 dated 07.11.2019 under Sections 498A/406/34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

The opposite party no. 2 was the wife, since divorced of the petitioner no. 3. On her complaint, the aforesaid criminal case was registered against the petitioners. Now the parties have filed a joint compromise petition stating, *inter alia*, that the dispute between the parties has been amicably settled. The petitioner no. 3 and opposite party no. 2 are mutually separated by a decree of mutual divorce. Therefore, the opposite party no. 2 is not inclined to proceed with the said criminal case against the petitioners.

The Learned Public Prosecutor-in-Charge has filed a Police report as sought for by this Court containing statement of the *de facto* complainant/opposite party no. 2. She has made an unequivocal statement to the effect that she does not want to proceed with the criminal case against the petitioners as the matter has been settled out of Court.

Since the criminal case arises out of a matrimonial dispute this Court has inherent power to take judicial notice of amicable settlement of such dispute.

In view of such circumstances and considering amicable settlement of the dispute between the parties, ACGR Case No. 5396/2019 arising out of Parnasree Police Station (Behala Women Police Station) Case No. 230/2019 dated 07.11.2019 be quashed.

The petitioners are directed to act on the server copy of the order with appropriate prayer before the Learned Magistrate to drop ACGR Case No. 5396/2019 on the basis of the above order passed by this Court.

The instant revision is, thus, **disposed of**.

All interim applications are also **disposed of**.

The Police report be kept with the record.

(Bibek Chaudhuri, J.)

Srimanta, A.R.(Ct.)
Item No. 01.