

Form J(1)

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

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

**IA No.:CRAN/1/2023
in
CRR 72 of 2023**

**Pratik Basak & Ors.
Vs.
State of West Bengal & Anr.**

**For the petitioner : Mr. Sayak Chakraborti,
Mr. Wrickbrata Roy**

**For the State : Mr. S. G. Mukherjee, Ld. P.P.,
Mr. Imran Ali,
Mrs. Debjani Sahu**

**For the opposite
Party no. 2 : Mr. Apalak Basu,
Mr. Nazir Ahmed**

Judgement on : 11.04.2023.

Bibek Chaudhuri, J.

Affidavit-of-service filed in Court today be kept with the record.

Beniapukur Police Station Case No. 295/2021 dated 28th July, 2021 was instituted out of a matrimonial dispute on the basis of a written complaint submitted by the opposite party/*de facto* complainant and the case was registered under Sections 498A/406/34 of the Indian Penal Code. Subsequently, the parties have settled the

dispute out of Court. A joint petition for compromise has been filed. On 31st March, 2023 the learned Public Prosecutor-in-Charge was requested to obtain a report from the concerned Police Officer after examining the *de facto* complainant to ascertain as to whether the compromise was voluntary and without any threat, coercion or undue influence. One Puspall Bhattacharjee, S.I., Beniapukur Police Station recorded the statement of the complainant. In her statement, she clearly stated that she has no grievance against the accused persons at present and she does not want to proceed with the criminal case against the petitioners. In view of such statement and petition filed jointly by the *de facto* complainant and the petitioners, the application is allowed.

Further proceedings and all orders in connection with GR Case No. 1856/2021 arising out of Beniapukur Police Station Case No. 295/2021 dated 28th July, 2021 under Sections 498A/406/34 of the Indian Penal Code presently pending before the learned Additional Chief Judicial Magistrate at Sealdah be quashed.

(Bibek Chaudhuri, J.)

Srimanta, A.R.(Ct.)
Item No. 04.