

D/L4
28.11.2023
Bpg.

C.R.R.236 of 2022
With
CRAN 1 of 2023

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

Totan Gorai and others
Versus
The State of West Bengal and another

Ms. Diksha Ghosh
Mr. Saptarshi Chakraborty.
...for the petitioners.

Mr. Kunal Ganguly
Mr. Aslam Parvez.
...for the opposite party no.2.

Mr. Debasish Roy, Ld. P.P.
Mr. Anwar Hossain
Ms. Ratna Ghosh.
...for the State.

The present revisional application was connected with the Nadanghat Police Station Case No.358 of 2022 dated 05.09.2022. The parties were in a relationship and after amicable settlement being arrived at between the parties, a report was called for. The report encloses the statement as well as the communication made to the Officer-in-Charge, Khatra Women Police Station, Bankura. The statement as well as declaration reflects that the de facto complainant do not intend to proceed with the case.

Let the report be kept with the record.

The case reflects that there were matrimonial discord and, as such, amongst parties case and counter case were started.

Continuance of the proceedings in view of the intention expressed by the de facto complainant to withdraw the proceedings may not be in the interest of justice and may cause harassment to the parties.

There are allegations in charge-sheet under Section 307 of the Indian Penal Code. However, I have checked the records and I have found that no offence under Section 307 of the Indian Penal Code is made out.

Accordingly, all further proceedings relating to Khatra Women Police Station Case No.09/2021 dated 28.08.2021 along with the charge-sheet so submitted under Sections 498A/325/506/307 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act with added Section 406 of the Indian Penal Code is hereby quashed.

Accordingly, CRR 236 of 2022 along with CRAN 1 of 2023 is allowed.

Pending other connected applications, if any, are consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)