

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 258 of 2023**

**Gautam Podar @ Gautam Dinesh Poder & Ors.
Vs.
State of West Bengal & Anr.**

**For the petitioners : Mr. Arindam Sen,
Mr. Sourav Basu,**

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

**For the opposite
Party no. 2 : Ms. Sreeparna Das,
Mr. Anil Choudhury**

Judgement on : 11.04.2023.

Bibek Chaudhuri, J.

New Alipore Police Station Case No. 217/2021 dated 11th December, 2021 under Sections 498A/406/506/120B of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act was instituted on the basis of a complaint lodged by the opposite party no. 2 against the petitioners. During the pendency of the case, the parties have effected out of Court settlement. Accordingly, an

application of compromise has been filed jointly by the petitioners and the opposite party praying for quashing of the criminal case pending in the Trial Court. On the last occasion, the learned Public Prosecutor-in-Charge was requested to direct the jurisdictional Police Station to examine the *de facto* complainant and submit a report ascertaining as to whether the settlement has been arrived at freely and voluntarily and without any threat, coercion or undue influence. Police authority has submitted a report along with a statement in the form of letter written by the *de facto* complainant. She has stated that the dispute between the parties has been amicably settled.

Since the dispute arose out of matrimonial issues between the opposite party and the petitioners, the instant application is allowed. In view of the above order further proceeding and all orders passed in CGR No.3595/2021 arising out of New Alipore Police Station Case No. 217/2021 dated 11th December, 2021 under Sections 498A/406/506/120B of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act pending before the learned Chief Judicial Magistrate at Alipore be quashed.

(Bibek Chaudhuri, J.)

Srimanta, A.R.(Ct.)
Item No. 05.