

D/L12
16.08.2023
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C.R.R.267 of 2023

In Re: A petition under Section 401 read with Section 482 of the Code of Criminal Procedure, 1973;

Subimal Chakraborty and others
Versus
The State of West Bengal and another

Ms. Ujjaini Chatterjee.
...for the petitioners.

Mr. Saswata Gopal Mukherjee, Ld.P.P.
Mr. Arijit Ganguly
Mr. Sanjib Kr. Dan.
...for the State.

Affidavit of service so filed be kept with the record.

Mr. Arijit Ganguly, learned advocate appearing for the State has submitted a report prepared by the concerned Officer of Harishchandrapur Police Station. Let the same be kept with the record. The said report encloses statement of Doyel Roy Choudhury as well as the photostat copy of declaration of Doyel Roy Choudhury. In both the statement and the declaration, the opposite party no.2, namely, Doyel Roy Choudhury has stated that she do not intend to proceed with Harishchandrapur Police Station Case No.514 of 2018 dated 13.07.2018 which was registered for investigation under Sections 499A/406 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

Having regard to the report so submitted before this Court and the contents of the statement and declaration, I am of the view that the present case was initiated and had its genesis in a matrimonial discord and having regard to the fact that the

complainant/opposite party no.2, namely, Doyel Roy Choudhury is not interested to pursue the case, the larger interest of society must be taken into consideration.

Considering the same, the further proceedings of Harishpur Police Station Case No.514 of 2018 including the charge-sheet submitted therein as also the warrant of arrest so issued by the learned ACJM, Chanchal, Malda be hereby quashed.

Accordingly, CRR 267 of 2023 is allowed.

Pending application, if any, is 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.)