

13-07-2023
Item no.9
Subrata
Bhattacharyya

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR No.432 of 2023
Quazi Sarif Ahmed & Ors.
-vs-
State of West Bengal & Anr.

Mr. Younish Mondal	...for the petitioner
Mr. Mobaidur Hossain	...for OP no.1/wife/complainant
Mr. Madhusudan Sur	
Mr. Dipankar Paramanick	... for the State

A report dated July 12, 2023 issued by officer in charge, Rahara police station submitted by learned advocate for the State be taken on record.

The report reflects that the lady, namely Runa Laila, do not intend to further proceed with the Rahara PS Case No.82 dated August 21, 2020. A declaration of the said lady along with the statement has been enclosed along with the report prepared by the officer in-charge of Rahara police station.

The instant revisional application has been preferred in respect of both Barasat PS Case No.282 dated March 29, 2017 and Rahara PS Case No.82 dated August 21, 2020.

So far as the Barasat PS Case No.282 dated March 29, 2017 is concerned, the revisional application is dismissed as not pressed. The petitioners are accordingly at liberty to file a fresh and separate revisional application.

As to the Rahara PS Case No.82 dated August 21, 2020 under sections 498A/494/406/323/120B/506/34 IPC, I am of the view that as the de facto complainant, namely Runa Laila, is not interested to pursue the present litigation as she is staying with her husband in her matrimonial home, further continuance would result in abuse of the process of the court.

Accordingly, all further proceedings in Rahara PS Case No.82 dated August 21, 2020 and the charge-sheet submitted therein which is pending before the ACJM, Barrackpore or any other jurisdictional magistrate within the said jurisdiction is hereby quashed. Consequently, CRR No.432 of 2023 is allowed in respect of Rahara PS Case No.82 dated August 21, 2020. Pending application, if any, is also disposed of.

Parties are to act on the server copy of this order duly downloaded from the official website of this court.

Certified copy of this order, if applied for, shall be made available to the parties.

[Tirthankar Ghosh, J]