

02.02.2023

Item No.13
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 748 of 2021

**Gopal Saha & Ors.
versus
Priyanka Sarkar & Anr.**

In Re: An Application under Section 482 of the Code of Criminal Procedure, 1973.

Mr. S. G. Mukherjee, Ld. P.P.,
Ms. Sreeparna Das ... For the State.

Report dated 01.02.2023 submitted by Ms. Sreeparna Das be kept on record.

The said report reflects that the complainant/opposite party no.1 viz. Priyanka Sarkar is not inclined to pursue the proceedings relating to Dum Dum Police Station Case No. 676 dated 06.08.2019 under Sections 498A/406/323 of the Indian Penal Code against the present petitioners. A statement to that effect has been recorded by one of the police officers of Dum Dum Police Station. A communication to that effect of the opposite party no.1 has also been enclosed along with the report.

In view of the contents of the report that the complainant/opposite party no.1 is not inclined to pursue with the further proceedings, I am of the opinion that as the case arises out of matrimonial dispute and the parties have settled in life after mutual divorce, further continuance of the proceedings would result in miscarriage of justice.

Accordingly, all further proceedings arising out of Dum Dum Police Station Case No. 676 dated 06.08.2019 under

Sections 498A/406/323 of the Indian Penal Code including the charge-sheet submitted therein are hereby quashed.

Accordingly, the revisional application being CRR 748 of 2021 is allowed.

All pending 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 with all requisite formalities.

(Tirthankar Ghosh, J.)