

09-02-2023
Subha
Item no.11
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
CRR 761 of 2021

Prakash Tiwari
-versus-
The State of West Bengal & Ors.

Re : An application under Section 482 of the Code of Criminal Procedure.

Mr. Partha Sarathi Das
Ms. Shanta Sarkar
....for the petitioner.

Mr. Zareen N. Khan
Mr. Md. Kutubuddin
...for the State.
Mr. Palash Mukherjee
....for the O. P. No.2.

Report submitted by the SI of Police, Rajarhat Police Station,
Bidhannagar Police Commissionerate be kept with the record.

Report reflects that the statement of the complainant was
recorded and a declaration was taken through e-mail. The contents of
the same reflects that there has been a mutual divorce between the
couple, the complainant/lady is staying in Uttar Pradesh and she has
received her dues and do not intend to pursue the criminal case.

Having regard to the contents which are in the form
statement and a communication made to the Police Station by e-mail
and the report submitted, I am of the opinion that further continuance
of Rajarhat P. S. Case No. 370 of 2019 dated 19.11.2019 as also the
chargesheet submitted therein are unwarranted and the continuance
of the same may result in miscarriage of justice.

Accordingly, all further proceedings of Rajarhat P. S. Case No. 370 of 2019 dated 19.11.2019 is hereby quashed. As such, the present revisional application being CRR 761 of 2021 is allowed.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]