

D/L2
28.11.2023
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C.R.R.1098 of 2023
With
CRAN 1 of 2023

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

Ashok Kumar Murarka and others
Versus
The State of West Bengal and another

Mr. Saikat Chatterjee
Mr. Kunal Ganguly
Mr. Abdur Rakib
Mr. Puranjan Pal.
...for the petitioners.

Mr. Dhananjay Banerjee
Mr. Biswajit Sarkar.
...for the private opposite party no.2.

Mr. Arijit Ganguly
Mr. Avik Ghatak.
...for the State.

The present revisional application has been preferred
challenging the proceedings arising out of Phoolbagan Police Station
Case No.127 dated 12.09.2018 wherein the investigating agency on
conclusion of investigation submitted charge-sheet under Sections
498A/377/34 of the Indian Penal Code.

During the pendency of the revisional application the
parties entered into an amicable settlement and subsequent to the
same, they expressed their intention before this Court not to pursue
the proceedings arising out of Phoolbagan Police Station Case
No.127 dated 12.09.2018.

A report was called for. Accordingly, learned advocate for the State has submitted a report which encloses the statement as well as communication made to the Officer-in-Charge, Phoolbagan Police Station. A specific question was asked by the Recording Officer wherein the opposite party has categorically stated that she wants to withdraw the Phoolbagan Police Station Case No.127 of 2018.

The report so submitted by the State be kept with the record.

As the case arose out of matrimonial discord and continuance of the same may give rise to further complexity and harassment of the parties, I am of the view that all further proceedings arising out of Phoolbagan Police Station Case No.127 dated 12.09.2018 including the charge-sheet filed therein which is pending before the learned ACJM, Sealdah is hereby quashed.

Accordingly, CRR 1098 of 2023 along with CRAN 1 of 2023 is allowed.

Pending other 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 of all requisite formalities.

(Tirthankar Ghosh, J.)

