

14.08.2023
Serial no. 5
[G.S.D]

CRR 1191 of 2023
With
CRAN 1 of 2023

In the matter of : Harshit Taparua & Ors.

... .. Petitioners

Mr. Santanu Talukdar
Mr. Abdullah Bin Masi

... For the Petitioners

Mr. Rajnish Kr. Kalawatia
Mr. Mukesh Pandey

... For the REspondent

Ms. Anusuya Sinha
Mr. Saryati Datta
Mr. Pinak Kumar Mitra

... For the State

The Report submitted by Mr. Saryati Datta, Learned Advocate for the State enclosing the statement of the defacto-complainant as well as the declaration in connection with Belur P.S. Case No. 52 of 2020 dated 18.03.2020 under Sections 498A/406/34 of the I.P.C. and Sections 3 and 4 of the Dowry Prohibition Act, be kept with the record.

The parties have also filed a Joint Compromise Petition.

I have also perused the statement and the declaration made by the lady. The genesis of the case arises out of a matrimonial discord. There has been mutual divorce

between the parties and, as such, the defacto-complainant does not intend to proceed with the present criminal case.

Having regard to the chances of conviction being very bleak, I am of the opinion that further continuance of the proceedings of the present case is unwarranted in the changed facts and circumstances of compromise between the parties.

Accordingly, all further proceedings of Belur P.S. Case No. 52 of 2020 dated 18.03.2020 under Sections 498A/406/34 of the IPC and Section 3 and 4 of the DP Act pending before the CJM, Howrah including the charge-sheet submitted therein is hereby quashed.

With the aforesaid observations, CRR 1191 of 2023 along with CRAN 1 of 2023 is allowed.

Pending application, if any, is also disposed of.

Parties to act on a server copy of this order, duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)