

D/L2
13.07.2023
Bpg.

C.R.R.1945 of 2022

In Re: An application under Section 482 read with Sections 401 and 397 of the Code of Criminal Procedure, 1973 for quashing of process.

Subir Kumar Bhattacharjee
Versus
The State of West Bengal and others.

Mr. Mihir Kumar Das
Mr. Sujit Bhattacharya
Mr. Suman Chatterjee.
...for the petitioner.

Mr. Saswata Gopal Mukherjee, Ld.P.P.
Mr. Imran Ali
Ms. Debjani Sahu.
...for the State.

The revisional application was preferring challenging the proceedings arising out of Haridevpur Police Station Case No.108 of 2018 dated 21.02.2018 under Sections 323/354A/506 of the Indian Penal Code.

As it was submitted on behalf of the Bar that there has been change of circumstance, a report was called for through the learned advocate appearing for the State from the Officer-in-Charge of Haridevpur Police Station.

Today, a report has been submitted along with a declaration and also a statement of the de facto complainant recorded by an Officer of the said Police Station.

Let the report be kept with the record.

I have considered the statement and the declaration wherein the de facto complainant at whose instance the case was

initiated being one Maya Singh has categorically stated that there has been change of relationship and at present she has no allegations and do not intend to pursue further proceedings against the petitioner, namely, Subir Kumar Bhattacharjee.

Having regard to the report so submitted on behalf of the State through the Officer-in-Charge of Haridevpur Police Station and considering the nature of the allegations, I am of the opinion that further continuance of Haridevpur Police Station Case No.108 of 2018 dated 21.02.2018 is unwarranted. As such, all further proceedings of Haridevpur Police Station Case No.108 of 2018 dated 21.02.2018 corresponding to ACGR 860 of 2018 under Sections 323/354A/506 of the Indian Penal Code pending before the learned ACJM, Alipore is hereby quashed.

Thus, CRR 1945 of 2022 is allowed.

Pending application, if any, is 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.)