

April 24, 2023
AD – 11
Ct. 34
SG

CRR 1592 of 2021

Aditya Saraf and others
-versus-
The State of West Bengal and another

Md. Zohaib Rauf
... for the petitioners.

Mr. Swapan Banerjee
Mr. Suman De
... for the State.

The present revisional application was preferred challenging the genuineness of Tangra PS Case No.195 of 2021 dated 12.07.2021 under Sections 498A/354/406/34 IPC read with Sections 3 and 4 of DP Act.

Learned advocate appearing for the petitioners earlier represented and there is change of circumstances. Consequently a report was called for through the investigating officer or any officer deputed by OC, Tangra PS by an order dated 12.04.2023.

Today a report has been submitted by learned advocate for the State. The report contends a communication by opposite party No.2 viz Neha Saraf nee Chiripal as well as the statement being recorded by a lady sub-inspector associated with Tangra PS. The statement reflects that the opposite party No.2/defacto complainant viz Neha Saraf nee Chiripal has stated before the recording officer that there has been a compromise effected and she does not intend to pursue the case being Tangra PS Case No.195 of 2021.

Let the report along with the statement so submitted before this Court be kept with the record.

Having regard to the fact that the present case arose out of matrimonial dispute, I am of the opinion that subsequent change of circumstances by way of which the opposite party No.2 has expressed her decision not to pursue the same should be taken into account.

Further proceedings in the changed circumstances may cause miscarriage of justice. Consequently all further proceedings arising out of Tangra PS Case No.195 of 2021 dated 12.07.2021 including subsequent steps taken by investigating officer or the orders passed by learned Magistrate is hereby quashed.

Thus, CRR 1592 of 2021 is disposed of.

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.

(Tirthankar Ghosh, J.)