

28.06.2023

Item No.2
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 2081 of 2022

**Sri Shambhu Nath Majhi & Ors.
versus
The State of West Bengal & Anr.**

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

Mr. Arka Chakraborty ... For the Petitioners.

Mr. Bibaswan Bhattacharya ... For the State.

Report dated 25.06.2023 submitted by Mr. Bhattacharya, learned advocate appearing for the State be kept on record.

The said report encloses a statement as well as declaration of Sangeeta Majhi, the opposite party no.2 herein at whose instance Durgapur Police Station Case No. 323 of 2019 dated 18.07.2019 under Sections 498A/406/506/34 of the Indian Penal Code was registered for investigation. The contents of the statement as well as the communication/declaration of the opposite party no.2 reflect that she at present is residing with the family/accused persons. As such, she does not intend to proceed with the criminal case which was initiated and which is pending till date.

Having regard to the changed circumstances with the lady, who is unwilling to proceed with the instant case as she is continuing with the relationship. The continuance of the proceeding including the FIR as well as the charge-sheet submitted in connection with Durgapur Police Station Case

No. 323 of 2019 dated 18.07.2019 is unwarranted and as such the same is quashed.

The revisional application being CRR 2081 of 2022 is, thus, allowed.

Pending connected application, if any, is consequently disposed of.

All concerned 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 with all requisite formalities.

(Tirthankar Ghosh, J.)