

D/L34
28.06.2023
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C.R.R.2343 of 2023

In Re: An application under Section 482 of the Code of Criminal Procedure;

Arabinda Mallick and others
Versus
The State of West Bengal and another

Mr. Prabir Adhya.
...for the petitioners.

The present case arose out of Bantra Police Station Case No.67 of 2018 dated 08.03.2018 under various sections of law and the charge-sheet was finally submitted under Sections 498A/494/323/506/34 of the Indian Penal Code.

Learned advocate appearing for the petitioners submits that the wife in the maintenance proceedings accepted Rs.7 ½ lakhs and thereafter she was claiming more and as such no compromise could be arrived at.

I have considered such submissions which have nothing to do with the present proceedings. As the charge-sheet has been submitted before the jurisdictional court and so far as the present revisional application is concerned, there are no enclosures in respect of the documents under Section 207 of the Code of Criminal Procedure. If the petitioners intend to compromise they will be at liberty to file a joint compromise petition before the jurisdictional court but on the premise there could be a settlement or there was about to settlement and which has failed, this Court will not invoke its powers under Section 482 of the Code of Criminal Procedure.

Accordingly, no interference is made. Petitioners would be at liberty to approach the appropriate forum.

With the aforesaid directions, CRR 2343 of 2023 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.

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

(Tirthankar Ghosh, J.)