

M/L 145
04.09.2023
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C.R.R.2470 of 2023
With
CRAN 1 of 2023

In Re: An application under Section 482 of the Code of Criminal
Procedure, 1973;

Ajay Kumar Burman
Versus
State of West Bengal and another

Ms. Malabika Roy Dey.
...for the petitioner.

Mr. Saswata Gopal Mukherjee, Ld.P.P.
Mr. Arijit Ganguly
Mr. Koushik Kundu.
...for the State.

Mr. Arnab Mandal.
...for the opposite party no.2.

Pursuant to the order dated 24.08.2023, a report has been submitted by Mr. Koushik Kundu, learned advocate appearing for the State. Let the same be kept with the record. The report is enclosed along with the statement and the declaration.

The subject matter of the revisional application relates to Sonamukhi Police Station Case No.55 of 2019 dated 03.06.2019 under Sections 498A/323/307/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act charge-sheet was submitted under Sections 498A/323/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

As the case arose out of matrimonial discord and the statement as well as the declaration made by the complainant/opposite party, namely, Ivy Barman reflects that she is

not interested to pursue the present case pending before the learned Judicial Magistrate, 3rd Court, Bishnupur, Bankura as an amicable settlement has been arrived, I am of the opinion that further continuance of the proceedings under changed circumstances are unwarranted.

Accordingly, continuance of all further proceedings in Sonamukhi P.S. Case No.55 of 2019 dated 03.06.2019 including the charge-sheet which has been submitted under Sections 498A/323/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act would result in abuse of process and the same, as such, is quashed.

Consequently, CRR 2470 of 2023 along with CRAN 1 of 2023 is allowed.

Pending any other applications, if any, are 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.)