

26.07.2023
Serial no. 313
[G.S.D]

CRR 2523 of 2023

In the matter of : Nilesh Kumar Agarwal & Ors.

... .. Petitioner

Mr. Amales Roy
Ms. Mousumi Bhowal
Mr. Aman Gupta
Mr. Ishan Bhattacharya

... For the Petitioners

Mr. Madhusudan Sur
Mr. Manoranjan Mahata

... For the State

Mr. A. Ali

... for the O.P. No.2

The present revisional application was preferred challenging the continuance of Karaya Women P.S. Case No. 10 of 2020 dated 20.10.2020.

Mr. Sur, Learned Advocate appearing for the State, has submitted a Report. The said Report incorporates the statement of the defacto-complainant along with a declaration wherein the defacto-complainant has categorically stated that she has no objection if all the accused persons of Karaya Women P.S. Case No. 10 of 2020 dated 20.10.2020 are discharged from the case.

Learned Advocate for the O.P. No.2, being present, also submits that they have also preferred an application for mutual divorce, which is pending.

Having regard to the fact that the present case was initiated because of matrimonial discord and that there has been subsequent change of circumstances, further, the lady/defacto-complainant do not intend to pursue the criminal case, I am of the view that the continuance of Karaya Women P.S. Case No. 10 of 2020 dated 20.10.2020 including the charge-sheet submitted therein, which is pending before the Learned CJM, Alipore, would result in harassment of the present petitioners and, as such, the same is quashed.

Accordingly, CRR 2523 of 2023 is allowed.

Pending application(s), if any, is also allowed.

Parties to act on a server copy of this order, duly collected from the official website of the Hon'ble High Court, Calcutta.

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

(Tirthankar Ghosh, J.)