

01.09.2023

Item No.9
Ct.No.34
dc.

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

C.R.R. 2783 of 2022

In the matter of : **Mithun Sardar**

... Petitioner.

Earlier this revisional application was called on 14.06.2023 when none appeared on behalf of the petitioner.

Today also when the matter is called, none represented the petitioner.

The present revisional application was preferred for quashing of the proceedings of M. Case No. 230 of 2022 under Section 125 of the Code of Criminal Procedure which is pending before learned Additional Chief Judicial Magistrate, Baruipur. One of the contentions which has been advanced in the revisional application is that in CRR 1367 of 2021, a coordinate Bench of this Court was pleased to quash G.R. Case No. 7174 of 2020. The order dated 10.08.2021 passed in the said revisional application reflects that the Hon'ble Judge of this Court was pleased to record that the de facto complainant was staying at her matrimonial household with her husband and she has no allegation against anyone and a compromise petition has therefore been filed.

If the circumstances have totally altered so far as the marital life of the present petitioner and the opposite party no.3 are concerned, I direct that if the opposite party no.3 takes out an appropriate application before the learned Additional Chief Judicial Magistrate, Baruipur in connection with M. Case No. 230 of 2022, the learned Magistrate would

in the changed circumstances decide to either drop the proceedings or proceed with the case.

With the aforesaid observations, the revisional application being CRR 2783 of 2022 is disposed of.

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.)