

22.08.2023
Item No.53
Ct.No.34
dc.

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION

C.R.R. 2878 of 2023
with
CRAN 1 of 2023

In the matter of : **Subhankar Mukherjee & Ors.** ... Petitioners.

Ms. Subhanwita Ghosh ... For the Petitioners.

Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan ... For the State.

Mr. Pinak Kumar Mitra,
Ms. Ariba Shahab ... For the Opposite Party No.2.

The present revisional application was filed for quashing of the proceedings and subsequently a joint compromise petition was filed by the applicants being the accused as well as the *de facto* complainant.

Report dated 16.08.2023 submitted by Mr. Arijit Ganguly, learned advocate appearing for the State be kept on record.

The said report encloses a statement of Srimoyee Mukherjee along with a declaration. She has categorically stated that she do not intend to pursue Baranagar Police Station Case No. 27 of 2019 dated 15.01.2019.

Having regard to the joint compromise application and the fact that the case arose out of a matrimonial discord, I am of the view that further continuance of the proceedings arising out of Baranagar Police Station Case No. 27 of 2019 dated 15.01.2019 including the charge-sheet submitted therein as also the orders so passed pursuant to the cognizance taken by the learned Magistrate is unwarranted in

the changed circumstances of joint compromise and amicable settlement and the intention of the complainant who does not intend to pursue with the case. Thus, all further proceedings arising out of Baranagar Police Station Case No. 27 of 2019 dated 15.01.2019 including the charge-sheet filed therein which is pending before the learned Judicial Magistrate, 2nd Court, Barrackpore are hereby quashed.

The revisional application being CRR 2878 of 2023 along with CRAN 1 of 2023 is, thus, allowed.

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.)