

17.11.2023
Serial no. 3
[G.S.D]

CRR 3171 of 2022

In the matter of : Avijit Sarkar & Ors.

... .. Petitioners

MR. GOURAV KR. NATH
MR. SUBHAJYOTI CHANDRA

... PETITIONERS

MS. DEBJANI SAHU

... FOR THE STATE

Ms. Sahu, Id. advocate for the State, has submitted a report, which was called for on the earlier occasion. Let the same be kept with the record.

It is submitted that an amicable settlement has taken place between the family of the present petitioner and that of the o.p. no.2/defacto-complainant. The report encloses a declaration of Ms. Jhumpa Dey. The declaration reflects that the defacto-complainant is not willing to proceed with Bongaon P.S. Case No. 751 of 2021 under Sections 498A/406/307 of the IPC.

I have considered the nature of the injuries, which do not satisfy the ingredient of Section 307 of the I.P.C.

Having regard to the fact that the case was initiated out of matrimonial discord and the same has been amicably

settled, I am of the opinion that further continuance of the criminal proceedings would result in harassment to both the parties.

Consequently, all further proceedings relating to Bongaon P.S. Case No. 751 of 2021 dated 01.09.2021 under Sections 498A/406/307 of the IPC as well as the charge-sheet submitted therein, is hereby quashed.

With the aforesaid observations, CRR 3171 of 2022 is allowed.

Pending application, if any, is also disposed of.

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