

11.10.2023
Serial no. 63
[G.S.D]

CRR 3447 of 2023

In the matter of : Anupam Behara & Ors.

... .. Petitioners

Mr. Arka Ranjan Bhattacharya
Ms. Gulsanwara Pervin

... for the petitioners

Mr. S. G. Mukherjee
Mr. Imran Ali
Ms. Debjani Sahu

... for the State

Mr. Ali, Id. advocate for the State, files a report in respect of Bhatar P.S. Case No. 87 of 2013 dated 23.03.2013. The report is enclosed with a statement of o.p. no.2, namely, Mrinmoyee Behara (Goswami) as also a communication made to the officer-in-charge of Bhatar P.S.

Earlier this Court called for a report on 14.9.2023. The substance of the statement and the communication so enclosed reflects that the o.p. no.2 namely Mrinmoyee Behara (Goswami) do not intend to proceed with Bhatar P.S. Case No. 87 of 2013.

The records of the revisional application also reflects that the marriage between the o.p. no.2 and the petitioner

no.1 was decreed by way of mutual divorce under Section 13B of the Hindu Marriage Act.

Having regard to the changed circumstances, I am of the view that further continuance of the proceedings arising out of Bhatar P.S. Case No. 87 of 2013 dated 23.3.2013 including the charge-sheet under sections 498A/406/506/34 of the IPC and Sections 3 and 4 of the D.P. Act, would result in abuse of process of law and as such is quashed.

With the aforesaid observations, CRR 3447 of 2023 is allowed.

Pending application, if any, is also disposed of.

Report so submitted be kept with the record.

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.)