

24.11.2023

Item No.6
Ct.No.34
dc.

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

**C.R.R. 3782 of 2023
with
CRAN 1 of 2023**

In the matter of : **Vicky Jamiyatrai Bhavnani & Anr.**
... Petitioners.

Mr. Debabrata Acharyya,
Mr. Sital Samanta ... For the Petitioners.

Ms. Sujata Das ... For the State.

Report dated 23.11.2023 submitted by Ms. Sujata Das,
learned advocate appearing for the State be kept on record.

The present revisional application has been preferred
challenging the continuance of the proceedings being Tiljala
Police Station Case No. 323 dated 04.11.2020 wherein
charge-sheet was submitted under Sections 498A/34 of the
Indian Penal Code read with Sections 3/4 of the Dowry
Prohibition Act and is pending before the learned Judicial
Magistrate, 8th Court, Alipore.

Mr. Acharyya, learned advocate appearing for the
petitioners submitted on earlier occasion that there has been
amicable settlement between the parties and as the dispute
and difference arise out of matrimonial discord, further
continuance of the proceedings may jeopardize the
relationship.

Be that as it may earlier a report was called for dated
16.10.2023. The report encloses a statement and e-mail along
with a declaration wherein the *de facto* complainant/opposite
party no.2 has categorically stated that she intends to

withdraw the proceedings being Tiljala Police Station Case No. 323 dated 04.11.2020.

Having considered the fact that the *de facto* complainant is not interested to pursue the proceedings and also wants to withdraw the case, further continuance of the proceedings may result in harassment as there has been amicable settlement. Consequently all further proceedings relating to Tiljala Police Station Case No. 323 dated 04.11.2020 under Sections 498A/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act along with the charge-sheet submitted therein are hereby quashed.

Thus, the revisional application being CRR 3782 of 2023 along with the CRAN 1 of 2023 is allowed.

A copy of the report be handed over to Mr. Acharyya, learned advocate for the petitioners.

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.)