

30.11.2023
item No.10
Rakib (PA)
ct. no. 34

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

**CRR 3833 of 2023
With
CRAN 1 of 2023**

**Abdul Nadir Sarwar & Ors.
Vs
The State of West Bengal & Anr.**

In Re: An Application under Section 482 of the Code of Criminal Procedure, 1973;

Mr. Abdul Kadir Usmani,
Mr. Nazir Ahmed.

.... For the Petitioners.

Ms. Sanghamitra Mridha

.... For the O.P. No.2.

Mr. Ranadeb Sengupta.

....For the State.

Report submitted by Mr. Sengupta, learned Advocate appearing for the State be kept with record.

The statement and declaration of the Opposite Party no.2 has been enclosed along with the report by the Investigating Officer of the case.

The de facto complainant namely Rizwana Khan has made her statement that she is presently residing happily with her children and do not want to continue with the present case being Park Street P.S. Case no. 403/2013.

I have considered the injury report vis-à-vis the statement of the Opposite Party No.2, as both the parties are together with their

children in the same family, taking into account the attending circumstances I am of the view that the case arose out of matrimonial dispute and further continuance of the proceeding would result in harassment.

Accordingly all further proceeding of Park Street P.S. Case No. 403/2013 dated 11.08.2013 including the charge-sheet submitted therein which is pending before the Learned Metropolitan Magistrate, 9th Court, Calcutta is hereby quashed.

Consequently, CRR 3833 of 2023 along with CRAN 1 of 2023 is allowed.

Case Diary be returned to the leaned Advocate for the State.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)