

Form J(1)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

**CRR 4299 of 2022
With
CRAN 1 of 2022**

**Sounak Kumar and Others
Vs.
The State of West Bengal and Anr.**

Mr. Ayan Banerjee
Ms. Debasree Dhamali
Ms. Riya Ghosh
 ..for the petitioner
Mr. R. Banerjee
 ..for the O.P. No.2

Mr. Saswata Gopal Mukherjee, Id. P.P.
Mr. Ranabir Roy Chowdhury
Ms. Faria Hossain
 ...for the State

Item No. 03

Heard & Judgment on: 12.05.2023

Bibek Chaudhuri, J.

Affidavit of service be kept with the record.

This is an application filed jointly by the petitioners /accused persons and the opposite party No.2 stating, inter alia, that the

dispute between the parties has been amicably settled and the de facto complainant does not want to proceed with the criminal proceeding pertaining to Bidhannagar P.S. (East) Case No. 53 of 2016 dated 10th June, 2016 under Sections 498A of the Indian Penal Code corresponding to G.R. Case No. 493 of 2016.

It is submitted by the learned advocate for the opposite party No.2 /de facto complainant that already the marital tie between the opposite party No.2 and the petitioner No.1 has been dissolved by a decree of divorce under Section 13(B) of the Hindu Marriage Act. At the time of dissolution of marriage the parties have arrived at a settlement regarding future maintenance and other related matters. Therefore, the opposite party does not want to proceed with the instant revision.

A report was called for from the Inspector-in-charge of Bidhannagar P.S. requesting him to ascertain as to whether the proposed compromise was arrived at voluntarily and freely by the opposite party No.2 without any coercion or undue influence.

The Inspector-in-charge of Bidhannagar P.S. has submitted a report stating, inter alia, that the dispute has been settled amicably and it was free from any threat, coercion over either of the parties.

In view of such circumstances, since the instant proceeding arose out of matrimonial dispute invoking the Court's power under

Section 482 of the Code of Criminal Procedure, the above mentioned criminal case under Section 498A of the Indian Penal Code be quashed.

The learned ACJM, Bidhannagar is directed to drop the G.R. Case No. 493 of 2016.

The instant revision and all connected applications are accordingly disposed of.

(Bibek Chaudhuri, J.)