

06-12-2023
Subha
Item no. 11
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
CRR 4320 of 2023

Mahesh Chandra Agarwal and ors.

-versus-

State of West Bengal and Anr.

Mr. Tarique Quasimuddin
Ms. Sanchita Chaudhuri
Ms. Syed Khafiz Zamar

....for the petitioners.

Mr. Manoranjan Mahata

...for the State.

The present revisional application has been preferred challenging the continuance of Karaya Police Station No. 194 of 2022 dated 06-08-2022 under Sections 498A/313/406/323/34 IPC and Section 4 of the D. P. Act.

A submission was advanced that an amicable settlement has been arrived at between the parties and the opposite party no.2 do not intend to proceed with the case. As such a report was called for. The report has been submitted before this court by Mr. Mahata, learned advocate for the State. The report encloses the statement of Neha Agarwal as well as the declaration from which it reflects that she do not intend to pursue with the present case. I have also checked the case diary in respect of the medical documents. So far as the allegations relating to Section 313 of the Indian Penal Code is concerned, the medical documents which have been enclosed relate to the year 2014 and there were informed consent of the complainant when the abortion took place at the

Divine Nursing Home.

Having regard to the changed circumstances and the fact that the opposite party no.2/de facto complainant do not intend to pursue with the present case as it has been stated that she has amicably settled the matter, I am of the view that further continuance of proceedings may result in harassment of both the parties.

Accordingly, all further proceedings of Karaya Police Station No. 194 of 2022 dated 06-08-2022 under Sections 498A/313/406/323/34 IPC and Section 4 of the D. P. Act and presently pending before the learned Additional Chief Judicial Magistrate, Alipore are hereby quashed.

Accordingly, the revisional application being CRR 4320 of 2023 is allowed.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]

