

11.01.2023
SL No.3
Court No.3
BR

**Circuit Bench of Calcutta High Court
At Jalpaiguri**

CRR 57 of 2022
With
CRAN 1 Of 2022

**In the matter of : Namit Narayan and Ors.
.... Petitioners**

Mr.Sayanthan Sinha,
Mr. Shubhankar Dutta
.... For the petitioners

Mr. Aditi Sankar Chakraborty, ld. APP
Mr. Nilay Chakraborty
.... For the State

By filing this proceeding the petitioner is seeking quashment of Dinhata Women Police Station Case No. 86 of 2021 registered on 18th October, 2021 under Section 498A of the IPC corresponding to GR Case No. 577 of 2021.

Heard learned counsel for the petitioner and learned counsel for the State.

The de facto complainant of the said proceeding and the petitioner were husband and wife but their marital know has not been dissolved by decree of divorce on mutual consent. The opposite party-de facto complainant as it appears from Memorandum of Understanding did not reserve her right to proceed with any criminal cases registered at her behest.

Under such circumstances, in order to avert the abuse of process of law, I am inclined to invoke the provision of Section 482 of the Cr. P C to quash the proceeding being GR Case No. 577 of 2021 .

Thus, the criminal revisional is disposed of and with disposal of the criminal revision CRAN 1 of 2022 is also disposed of.

Let a copy of this order be sent to the learned Trial Court for information and necessary action.

(Siddhartha Roy Chowdhury, J.)