

D/L71
29.02.2024
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C.R.R.136 of 2024

In Re: An application under Section 482 of the Code of Criminal Procedure;

Dibyakanti Modak and others
Versus
State of West Bengal and another

Mr. Dibyakanti Modak. ...petitioner no.1-in-person(V.C.).

Mr. Arijit Ganguly
Mr. Gautam Banerjee.
...for the State.

Report submitted by the Inspector-in-Charge, Narendrapur Police Station enclosing the statement and the declaration of the de facto complainant, namely, Smt. Sushmita Chowdhury be kept with the record.

Report reflects that the de facto complainant/opposite party no.2 do not intend to proceed with the case being Narendrapur Police Station Case No.267 of 2019 which was registered under the provisions of Sections 498A/406/34 of the Indian Penal Code. The investigating agency on conclusion of investigation has submitted charge-sheet under Section 498A of the Indian Penal Code.

Having regard to the fact that the parties have mutually divorced and have amicably settled their disputes and the de facto complainant do not intend to pursue the present case, further continuance of the proceedings would result in unnecessary harassment. As such, I am of the view that further proceedings of Narendrapur Police Station Case No.267 of 2019 dated 24.02.2019

including the charge-sheet submitted therein and pending before the learned ACJM, 2nd Court, Baruipur be hereby quashed.

Accordingly, CRR 136 of 2024 is allowed.

Pending connected application, if any, is consequently disposed of.

All 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 of all requisite formalities.

(Tirthankar Ghosh, J.)