

20.02.2024

Item No.49
Ct.No.34
dc.

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

C.R.R. 191 of 2024

In the matter of : **Gaurav Bhattacharya & Ors.** ... Petitioners.

Mr. Manjit Singh,
Mr. Biswajit Mal,
Mr. Abhishek Bagal ... For the Petitioners.

Mr. Joydeep Biswas ... For the State.

Mr. Saryati Datta,
Mr. Chitrak Biswas ... For the Opposite Party No.2.

Memo of Evidence submitted by Mr. Biswas, learned advocate appearing for the State be kept with the record.

The Memo of Evidence is enclosed with the declaration made both by the petitioners and the opposite party no.2. The present case being Sonarpur Police Station Case No. 2080 of 2017 dated 27.10.2017 was registered for investigation under Sections 498A/406/325/307/506/34 of the Indian Penal Code and subsequently charge-sheet was also submitted on conclusion of investigation under the same sections.

Pursuant to the earlier direction, case diary has been produced by the learned advocate appearing for the State.

I have perused the nature of injuries complained of and the injury reports and I find that the same do not qualify the ingredients of Section 307 of the Indian Penal Code. The contents of the declaration enclosed along with the memo of evidence reflect that there has been amicable settlement between the parties and the disputes arose out of matrimonial discord. Having regard to the fact that the parties are not interested to pursue the present proceedings, I

am of the view that further continuance of the said proceedings would result in unnecessary harassment.

Accordingly, all further proceedings relating to Sonarpur Police Station Case No. 2080 of 2017 dated 27.10.2017 including the charge-sheet submitted therein which is pending before the learned Additional District and Sessions Judge, Baruipur are hereby quashed.

The revisional application being CRR 191 of 2024 is, thus, allowed.

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

Case diary be returned to the learned advocate appearing for the State.

All concerned 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 with all requisite formalities.

(Tirthankar Ghosh, J.)