

D/L57
02.04.2024
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C.R.R.959 of 2024

In Re: An application under Section 482 of the Code of Criminal Procedure, 1973;

Dr. Md Ashif Ali Ahmed @ Ashif Ali Ahmed and others
Versus
State of West Bengal and another

Mr. Sauradeep Dutta.
...for the petitioners.

Mr. Rajdeep Bhattacharya
Mr. Debashis Banerjee.
...for the opposite party no.2.

Mr. Debasish Roy, Ld. P.P.
Ms. Sreyashee Biswas.
...for the State.

The present revisional application has been preferred in respect of Airport Police Station Case No.118 of 2023 dated 25.05.2023. The case arose out of matrimonial dispute and discord and was registered for investigation under Sections 498A/506 of the Indian Penal Code.

Earlier, a submission was advanced as there has been amicable settlement between the parties. Accordingly, a report was called for and the report is enclosed along with the statement and declaration of the opposite party no.2, namely, Dr. Musammat Nasrin Sultana. The tenor of the statement as well as the declaration reflects that the opposite party no.2/ de facto complainant intends to withdraw the police station case as she is presently peacefully residing at her matrimonial home with her

husband and other in-laws.

Having considered the report so submitted and the nature of the offence complained of which arose out of matrimonial dispute and discord, I am of the view that further continuance of the proceedings against the petitioners would result in miscarriage of justice in view of the changed circumstances.

Accordingly, all further proceedings of Airport Police Station Case No.118 of 2023 dated 25.05.2023 including the charge-sheet submitted therein under Sections 498A/506 of the Indian Penal Code and is pending before the learned ACJM, Barrackpore be hereby quashed.

Consequently, CRR 959 of 2024 is allowed.

Report so submitted by the State be kept with the record.

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.)