

10-04-2024
Subha
Item no.82
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 1167 of 2024
CRAN 1 of 2024

Sk. Saifuddin @ Sk Saiful and ors.
-versus-
State of West Bengal and Anr.

Mr. Niladri Sekhar Ghosh
Ms. Sompurna Chatterjee
Mr. Sourav Mondal
Ms. Laboni Sikder
....for the petitioner.

Mr. Mujibar Ali Naskar
...for the O. P. No. 2.

Mr. Debasish Roy, Id. PP
Mr. Arijit Ganguly
Mr. Sourat Nandy
...for the State.

Report submitted by the learned Public Prosecutor in connection with Khanakul P. S. Case No. 441 of 2022 dated 12-10-2022 be kept with the record.

Report reflects that there was a matrimonial dispute and discord, consequent to which the present case was registered for investigation under sections 498A/406/323/325/307/34 IPC and subsequently chargesheet was submitted under sections 498A/323/325/307/34 IPC. The report so submitted encloses the statement of the de facto complainant namely, Sabana Khatun as well as her declaration which reflects that she is presently residing at her matrimonial home along with her husband and the dispute and difference have been amicably settled. Taking into account that

the dispute arose out of matrimonial discord and the injuries complained of in the medical report speaks of only simple injury, I am of the view that the applicability of Section 307 IPC in this case is not applicable.

Having regard to the changed circumstances and the parties have decided to lead the matrimonial life with a new future ahead, I am inclined to interfere with the further continuance of the proceedings and quash the same in the larger interest of justice. Accordingly, all further proceedings arising out of Khanakul P. S. Case No. 441 of 2022 dated 12-10-2022 including the chargesheet submitted therein before the learned ACJM, Arambagh is hereby quashed. Thus, the revisional application being CRR 1167 of 2024 along with CRAN 1 of 2024 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]

