

D/L118
24.04.2024
Bpg.

C.R.R.1338 of 2024
With
CRAN 1 of 2024

In Re: An application under Section 482 read with Section 401 of the
Code of Criminal Procedure, 1973;

Arpita Dutta and another
Versus
The State of West Bengal and another

Mr. Soumya Basu Roy Chowdhuri.
...for the petitioners.

Mr. Soumyajit Das Mahapatra
Ms. Madhurai Sinha.
...for the opposite party no.2.

Mr. Debasish Roy, Ld.P.P.
Mr. Saryati Datta
Ms. Pallavi Priyadarshee.
...for the State.

Affidavit-of-service filed by the petitioners be also kept
with the record.

Learned advocate appearing for the State has submitted
a report. Let the report be kept with the record.

Report reflects that the opposite party no.2 has
expressed his desire to withdraw the case. However, there are case
and counter-case between the parties.

Having considered the outcome of S.C. Case No.112 of
2024 arising out of Nagerbazar Police Station Case No.121 of 2023,
learned advocate appearing for the opposite party no.2 submits that
she has instructions to pursue with Nagerbazar Police Station Case
No.198 of 2023 dated 07.06.2023 pending before the learned

Judicial Magistrate, 5th Court, Barrackpore.

Having considered the changed circumstances and the report submitted by the police authorities of the case, learned Judicial Magistrate, 5th Court, Barrackpore would proceed and progress with the case being Nagerbazar Police Station Case No.198 of 2023 dated 07.06.2023. No interference is called for.

Accordingly, CRR 1338 of 2024 along with CRAN 1 of 2024 is dismissed.

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.)