

09-05-2024
Subha
Item no. 71
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 1591 of 2024
CRAN 1 of 2024

Avinash Dhoot

-versus-

The State of West Bengal & Anr.

Mr. Apalak Basu
Ms. Swarnashree Choudhury
....for the petitioner.

Mr. Debasish Roy
Mr. Arijit Ganguly
Ms. Sreemoyi Roy
...for the State.

Mr. Vineet Kothari
...for the O. P. No.2.

Petitioner and the opposite party no. 2 has preferred a joint compromise application. Earlier submission was advanced, as such, a report has been submitted that an amicable settlement has taken place between the parties. A statement and declaration has been recorded and taken from the opposite party namely Mrs. Moulishree Dhoot, at whose instance Shakespeare Sarani P. S. Case No. 185 of 2022 dated 29-09-2022 commenced. The said case arose out of matrimonial dispute and discord and chargesheet was submitted under Section 498A/506 IPC which is pending before the learned Metropolitan Magistrate, 4th court, Calcutta.

Having considered that the parties have amicably settled and it has been categorically contended by the de facto complainant that case has been filed for dissolution of marriage by way of mutual divorce and as such she do not intend to pursue the

criminal case, I am of the view that further continuation of the proceeding in the changed circumstances pursuant to the amicable settlement is unwarranted as the same may not be in the larger interest of justice.

Accordingly, all further proceedings arising out of Shakespeare Sarani P. S. Case No. 185 of 2022 dated 29-09-2022(G.R(S) No. 1149 of 2022) including the chargesheet under Sections 498A/506 IPC and pending before the learned Metropolitan Magistrate, 4th court, Calcutta is hereby quashed.

Consequently, the revisional application being CRR 1591 of 2024 along with connected application being CRAN 1 of 2024 is hereby allowed.

Connected any other applications, if any, are disposed of.

Report so submitted by the learned advocate for the State be kept with record.

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.]

