

18.01.2024
Sl.No. 26
Ct. 32
Amalranjan

CRR 2249 of 2017

Sirajul Mistry and ors.
Vs.
State of West Bengal and anr.

Ms. Baisali Basu.....for the petitioner no. 3

Ms. Faria Hossain
Ms. Mamata Jana.....for the State

State has filed the status report with details is taken on record.

The defacto-complainant is also present personally and represented by the learned advocate for the State.

She stated that defacto-complainant started residing with her husband just after few days of lodging the instant complaint.

The petitioners came here with an application seeking quashing the proceeding being G.R. Case no. 530/.2014 in connection with Baruipur Women police station case no. 6/2014 under section 498A/ 406/ 34 IPC and 3 /4 of the DP Act and the same is pending before the learned Judicial Magistrate, Baruipur, South 24 Parganas.

Heard both sides and on perusal of the report it appears that the Inspector-in-Charge, Baruipur Women PS case no. 06/2014 dated 29.1.2014 also concedes that both the parties have settled their disputes and defacto-complainant started residing her matrimonial home along with the present accused persons and there is no grievances against the petitioners /accused persons.

Therefore, she does not want to proceed with this case, though all sections are not compoundable offence, but this court has the power to exercise discretionary power to quash the matter if the matter has been settled and petitioners as well as defacto-complainant pray for quashing as they are living peacefully as husband and wife with their other family members since last more ten years.

Under the above facts and circumstances of the case and voluntary nature of compromise between the accused and the victim and nature of seriousness of offences as alleged the aforesaid entire proceeding is hereby quashed.

Accordingly, the instant revisional application being **CRR 2249 of 2017** is disposed of with the above observations.

Interim order, if any, stands vacated.

Let the order be communicated to the Ld. Court below for information.

Liberty is granted to all parties to act in terms of the copy of this order downloaded from the official website of this court.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties taking all legal formalities.

(Ajay Kumar Gupta, J.)