

C.R.R. 2806 of 2016
Sri Subhajit Dutta
Vs.
The State of West Bengal & Anr.

Mr. Uday Sankar Chattopadhyay
Ms. Aishwarya Datta
Ms. Bidisha Chakraborty *...For the Petitioner*

Mr. Sabyasachi Mukherjee
Ms. Poulami Dey
Ms. Ankita Nandi *...For the Opposite Party No. 2*

Mr. Joydeep Roy
Mr. Dipankar Paramanick *...For the State*

IA No. CRAN 6 of 2018 (Old No. CRAN 672 of 2018)

Status report filed on behalf of the State is taken on record.

Learned Counsel appearing on behalf of the petitioner as well as the learned Counsel for the opposite party No. 2 submit that they have amicably settled their dispute and the opposite party No. 2 does not want to proceed further with the criminal proceeding, being G.R. Case No. 2647 of 2015.

By filing an affidavit, opposite party No. 2, Sima Saha, further submits that she has got no objection, if the petitioner's prayer for quashing is allowed.

Learned Counsel appearing on behalf of the opposite party No. 2 further submits that the opposite party No. 2 or her witnesses are not willing to depose before the Court below in support of the allegations made in the FIR.

Having considered the facts and circumstances of the case and that in view of the amicable settlement, the prosecution witnesses are

not eager to depose in support of the allegations made in the FIR, I find that the chance of conviction of the present petitioner is bleak in the present context.

In such view of the matter, the continuance of the further proceeding, being G.R. Case No. 2647 of 2015, pending before the learned Additional Chief Judicial Magistrate, 5th Court, Barrackpore, will be sheer abuse of process of Court and the same is hereby quashed.

The main application, being C.R.R. 2806 of 2016 and the connected application, being IA No. CRAN 6 of 2018 (Old No. CRAN 672 of 2018) are accordingly disposed of.

Urgent Photostat certified copy of this order, if applied for, be given to the parties, on priority basis, upon compliance of all necessary formalities.

(Ajoy Kumar Mukherjee, J.)