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28.02.2024
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C.R.R.3943 of 2023

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

Smt. Abha Devi Agarwal and others
Versus
The State of West Bengal and another

Mr. Satadru Lahiri
Mr. J. Dhatt
Mr. Safdar Azam
Mr. Jyotirmoy Talukdar.
...for the petitioners.

Mr. Arabinda Manna.
...for the State.

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

Report submitted by the Officer-in-Charge, Bidhannagar
Women Police Station enclosing the statement and the declaration
be kept with the record.

The petitioners and the opposite party no.2 submit before
this Court that there has been an amicable settlement in respect of
Bidhannagar Women Police Station Case No.09 of 2021 dated
06.04.2021 which was registered for investigation under Sections
498A/406/323/34 of the Indian Penal Code and Section 4 of the
Dowry Prohibition Act. Subsequently, Section 307 of the Indian
Penal Code was added and the charge-sheet was submitted under
the aforesaid Sections.

As Section 307 of the Indian Penal Code was

subsequently added in the charge-sheet, the case diary was called for and the injury report was checked by this Court. From the injury so appearing, I am of the opinion that Section 307 of the Indian Penal Code is not applicable to the present case. As such, as the parties intend to amicably settle the dispute which arises out of matrimonial differences, I am of the view that further continuance of the proceedings are unwarranted.

Accordingly, all further proceedings arising out of Bidhannagar Women Police Station Case No.09 of 2021 dated 06.04.2021 wherein charge-sheet was submitted under Sections 498A/406/323/307/34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act and pending before the learned Additional District and Sessions Judge, Fast Track, 4th Court, Barasat is hereby quashed.

Thus, CRR 3943 of 2023 is allowed.

Pending connected application, if any, is consequently disposed of.

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.)