

06.02.2024
item No.226
Rakib (PA).
ct. no. 34

CRR 4925 of 2023

**Sri Saugata Ghosh & Ors.
Vs
The State of West Bengal & Anr.**

In Re: An Application under Section 482 of the Code of Criminal Procedure;

Mr. Sandip Ganguly,
Mr. Kaushik Bhattacharyya,
Mr. Suranjan Mandal,
Ms. Baishali Majumdar.

.... For the Petitioners.

Ms. Rita Datta.

.... For the State.

Mr. Soumyajit Das Mahapatra,
Ms. Madhurai Sinha.

.... For the Opposite Party no.2

Report submitted by the State be kept with the record.

Petitioners approached this Court under changed circumstances wherein the dispute and differences arising out of matrimonial tie resulted in registration of Bidhannagar (Women) Police Station case no. 05/17 dated 28.01.2017. The investigating agency on conclusion of investigation submitted charge-sheet under Section 498A/323/406/34 of the Indian Penal Code.

Earlier submission was advanced that the parties have amicably settled. Accordingly a report was called for.

Today a report has been submitted by the learned Advocate appearing for the State prepared by Sub-inspector of police attached to Bidhannagar (Women) Police Station. The report is enclosed with a declaration as well as the statement of Paramita

Mishra, the opposite party no.2. The opposite party no.2 has stated that she do not intend to pursue with the proceedings of Bidhannagar (Women) Police Station case no. 05/17 dated 28.01.2017.

Accordingly, I am of the view that further continuance of the proceedings would result in abuse of the process of law as the case arose out of matrimonial discord and the parties are not interested to pursue the same.

Thus, all further proceedings arising of Bidhannagar (Women) Police Station case no. 05/17 dated 28.01.2018 including the charge-sheet submitted therein before the jurisdictional Court and presently pending before the learned Judicial Magistrate, Bidhannagar is hereby quashed.

Consequently, CRR 4925 of 2023 is allowed.

Pending 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.

(Tirthankar Ghosh, J.)