

**CRR 4032 of 2025
with
CRAN 1 of 2025**

**Abhisek Roy Chowdhury & Ors.
Vs.
The State of West Bengal & Anr.**

Mr. Tapan Dutta Gupta Ms. Rituparna Ghosh Mr. Sourav Sardar	...for the petitioners
Mr. Inzamanul Haque	for the O.P. no. 2
Mr. Suman De Ms. Puspita Saha	...for the State

Mr. Suman De along with Ms. Puspita Saha, who usually appear before this court, are hereby appointed to represent the State. The concerned authority is directed to regularize the appointment of Mr. De and Ms. Saha.

The petitioners herein preferred the instant application seeking quashment of G.R. case no. 1228 of 2025, presently pending before the learned Additional Chief Judicial Magistrate, Sealdah in connection with allegation under Sections 85/316(2)/3(5) of the BNS, 2023 read with Sections 3 and 4 of the Dowry Prohibition Act.

It is submitted on behalf of the petitioners as well as learned counsel appearing on behalf of the private opposite party that during pendency of the instant application, parties have amicably settled their dispute and differences and to that extent, they have filed connected application being CRAN 1 of 2025 signed by both the parties and both the

petitioner and opposite party/*de facto* complainant want that the instant proceeding may be quashed.

In the said connected application, the wife/opposite party no. 2 has clearly averred that she has resolved the matrimonial disharmony and she does not want to proceed any further with the present case as against all the petitioners/accused persons and she has prayed for quashing the proceeding.

Learned counsel for the State submits that the dispute between the parties is private in nature and since the parties have amicably settled their matrimonial discord, the State does not want to stand in their way of their future peaceful life and therefore, learned counsel for the State leaves the prayer to the discretion of the court.

Having considered the submissions made by both the parties, it appears that the parties have amicably settled their dispute and the defacto-complainant had decided not to adduce evidence in support of the imputations levelled in the FIR. In such circumstances, if their prayer for quashing the proceeding is refused merely on the ground that the offence alleged is not compoundable, it may prove counter productive.

In such circumstances, further continuance of a faked trial if allowed to continue, will be a mere abuse of process of the court. Moreover in view of such settlement, there is hardly any chance of conviction of the petitioners at the end of the trial.

Having considered the aforesaid facts and circumstances of the case, the applications being CRR 4032 of 2025 along with the connected application being CRAN 1 of 2025 are allowed.

The impugned proceeding being G.R. case no. 1228 of 2025 arising out of Entally Police Station case no. 151 of 2025 dated 11.6.2025, presently pending before the learned Additional Chief Judicial Magistrate, Sealdah under Sections 85/316(2)/3(5) of the BNS, 2023 read with Sections 3 and 4 of the Dowry Prohibition Act is hereby quashed.

Urgent Photostat certified of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)