

CALCUTTA HIGH COURT
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction

CRR 78 of 2025
With
CRAN 1 of 2025
CRAN 2 of 2025

Nayan Subedi
Vs.
The State of West Bengal & Anr.

Mr. Sayan De
Ms. Esha Acharya
Mr. Sampad Das ...for the petitioner

Ms. Avipsha Dutta Roy ...for the O.P. no. 2

Mr. Shankar Chakraborty, Ld. APP
Mr. Ujjawal Luksom ...for the State

Re: CRR 78 of 2025
With
CRAN 1 of 2025
CRAN 2 of 2025

A report containing the statement of defacto-complainant and the brother of the defacto-complainant namely, Abhimanyu Sharma, is taken on record.

The petitioner herein has prayed for quashing of the proceeding being New Jalpaiguri Police Station case no. 20 of 2017 dated 13th January, 2017 under Section 417/493/376 of the Indian Penal Code.

In the first information report, it has been alleged that on the false promise of marriage, the victim has made physical relationship with the petitioner and thereafter, since the petitioner

refused to marry, the first information report has been lodged by the defacto-complainant/victim.

However, it is submitted on behalf of the petitioner by filing the application being CRAN 1 of 2025, that the entire dispute between the parties have been settled and pursuant to such amicable settlement by both the parties, the petitioner herein married the defacto-complainant in the year 2018 and presently, they are living peacefully together as husband and wife.

This court in its earlier order dated 18.2.2025, was pleased to call for a report from the prosecution agency and Mr. Luksom, learned counsel for the State today submitted aforesaid two recorded statements which discloses that the parties entered into matrimonial relationship and at present, they are residing peacefully as husband and wife.

Mr. Luksom, on behalf of the State submits that the parties have amicably settled their dispute and as such, the State does not want to stand in their way of leading peaceful future matrimonial life.

Victim is also present in court today physically.

Considering the fact that the victim has made a statement that she had married the petitioner herein and presently living peacefully as husband and wife and that refusal of such amicable settlement merely on the ground that the offence is not compoundable, may become counter-productive for the parties, and that on facts, it is noticed that there is no reasonable likelihood of the accused/petitioner being convicted of the offence alleged and that further continuance of the present proceeding

would be mere abuse of process of court where the wife no longer supporting imputations made in the FIR, the prayer for quashing of the proceeding is required to be allowed, for the ends of justice.

In such view of the matter, the present proceeding being New Jalpaiguri Police Station case no. 20 of 2017 dated 13th January, 2017 corresponding to G.R. case no. 20 of 2017 stands quashed.

CRR 78 of 2025 is allowed. In view of disposal of main application, CRAN 1 of 2025 and CRAN 2 of 2025 are also disposed of.

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

(Dr. Ajoy Kumar Mukherjee, J.)