

29.06.2026

Serial no. 21

[Srimanta]

Ct. No. - 29

IA NO: CRAN/1/2026
in
CRR 1191 of 2026

In re : An Application under Section 528 of the Bharatiya Nagarik Sureaksha Sanhita, 2023 corresponding to Section 482 of the Code of Criminal Procedure, 1973

-And-

In the matter of : AAMIR RASHID AND ORS.

... .. Petitioners

Mr. Abu Zar Ali, Advocate

... .. For the Petitioners.

Mr. Somnath Adhikary, Advocate

.....For the State.

Mr. Sk. Md. Wasim Akram, Advocate

.....For the Opposite Party No. 2.

1. The statement of de facto complainant, Sarah Ansar is taken on record.
2. In this application, the petitioners have prayed for quashing of the proceeding being Entally Police Station Case No. 288/2023 dated 01.10.2023 corresponding to GR Case No. 2363/2023 under Sections 498A/406/34 of the Indian Penal Code presently pending before learned Additional Chief Judicial Magistrate, Sealdah.
3. Being aggrieved by the aforesaid proceeding, learned Counsel for the petitioners submits that in the instant case after filing of the charge-sheet, the parties have amicably settled their dispute at the intervention of the well-wishers and relatives and, therefore, the parties have amicable

dissolved their marital tie and, therefore, the opposite party no. 2 herein does not want to proceed further with the aforesaid criminal proceeding. Learned Counsel appearing on behalf of the opposite party no. 2 submits on instruction that the de facto complainant has also prayed for quashing the impugned proceeding since the dispute has been amicably settled between the parties. Learned Counsel appearing on behalf of the State submits that from the recorded statement of de facto complainant, Sarah Ansar dated 25.06.2026 it appears that the parties have entered an amicable settlement voluntarily and, therefore, the opposite party no. 2 has decided not to proceed further with the aforesaid criminal proceeding. He further submits that the dispute between the parties is matrimonial and private in nature and if they have amicably settled their dispute in the interest on their future mutual co-existence, the State does not want to stand in their way.

4. Having heard learned Counsel for the petitioner and both the opposite parties, I find that the opposite party no. 2/de facto complainant has decided not to support the imputations leveled in the letter of complaint and as such there is hardly any chance of conviction of the present petitioners at the end of trial. Therefore, further continuance of a facade trial would be mere abuse of the process of the Court. In view of above, I find that this is a

fit case where invoking this Court's jurisdiction under Section 528 of the BNSS the proceeding is required to be quashed.

5. Therefore, CRR/1191/2026 along with CRAN/1/2026 are allowed.
6. The impugned proceeding being G.R. Case No. 2363/2023 under Sections 498A/406/34 of the Indian Penal Code presently pending before learned Additional Chief Judicial Magistrate, Sealdah is hereby quashed.
7. All parties are to act on the server copy of this order duly downloaded from the official website of the Calcutta High Court.

(Dr. Ajoy Kumar Mukherjee, J.)