

10.6.2026

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CRR 1810 of 2025
with
IA No. CRAN 2 of 2026
CRAN 3 of 2026

Dr. Sayan Dasgupta & Ors.
Vs.
The State of West Bengal & Anr.

Mr. Jayanta Narayan Chatterjee, Sr. Adv.
Mr. Dwaipayan Biswas
Ms. Paramita Mukhopadhyay
Mr. Deborshi Roy
Ms. Olivia Dutta
Mr. Suprovo Dey
Mr. D. Saha ... for the petitioners

Mr. Kunal Ganguly
Mr. Kaustav Banerjee ... for the O.P. no. 2

In spite of service upon the State, the case diary has not been produced nor the State has been represented today before this court.

Learned counsel for both the parties submits that the petitioners were booked under Section 498A/406/34 of the IPC. During pendency of the suit at the intervention of the well-wishers and common friends, an amicable settlement has been arrived at by and between the parties and the matter has been settled amicably.

The opposite party/complainant has decided not to proceed with the criminal proceeding any further and she intends to bury the differences for all times to come. Therefore, both the petitioners and the opposite party no. 2 submit that further continuance of the impugned proceeding would be nothing but a mere abuse of process of the court, in view of the fact that the defacto-complainant

and her witnesses have decided not to support the imputations levelled in the complaint.

Having heard learned counsel for both the parties, it appears that the dispute is purely matrimonial and private in nature. Since the parties have amicably settled their disputes and the opposite party/complainant and his witnesses have decided that they would not support the prosecution case, I find that there would be hardly any chance of conviction even if the trial is allowed to continue. On the contrary, if the prayer for quashment made by both the parties is refused merely on the ground that the offence is not compoundable, it may become counter-productive.

Considering the overall circumstances of the case and the nature of allegation, I find that it is a fit case where the impugned proceeding should be quashed, invoking this court's jurisdiction under Section 482 of the Code of Criminal Procedure read with Section 529 of the BNSS.

The impugned proceeding being G.R. case no. 1301 of 2024, presently pending before learned Judicial Magistrate, 5th Court, Serampore is hereby quashed.

In view of above, CRR 1810 of 2025 stands allowed. Connected applications also stand disposed of.

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

(Dr. Ajoy Kumar Mukherjee, J.)