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CRR 2074 of 2026
with
CRAN 1 of 2026
Sayantana Sarkar & Ors.
Vs.
The State of West Bengal & Anr.

Ms. Faria Hossain	
Ms. Kuheli Hazra (Dutta)	... for the petitioners
Mr. Amit Dey	... for the O.P. no. 2
Mr. Imran Siddiqui	
Mr. Sanjib Das	...for the State

Report submitted by the Investigating officer dated 28.6.2026 is taken on record.

In this application, the petitioners have prayed for quashing of the proceeding being G.R. case no. 4928 of 2022 arising out of Technocity Police Station case no. 229 of 2022 dated 27th November, 2022 under Sections 498A/323/325/307/406/506/34 of the IPC read with Section 3/4 of the Dowry Prohibition Act, presently pending before the learned Chief Judicial Magistrate, Barasat.

Being aggrieved by the aforesaid proceeding, learned counsel for the petitioners submit that the petitioners are innocent and are no way connected with the alleged offence. However, during pendency of the instant proceeding, the petitioner no. 1 and the opposite party no. 2 have mutually parted ways peacefully and also have jointly filed an application for divorce by mutual consent under Section 13B of the Hindu Marriage Act, 1955 being MAT suit no. 3688 of 2025. She further submits that in view of amicable

settlement between the parties, the parties have executed a Memorandum of Understanding and the opposite party no. 2 has expressed her unwillingness to proceed with the criminal case. In such circumstances, learned counsel for the petitioners submit that further continuation of the criminal proceeding, which arose out of a purely matrimonial and private dispute, would serve no useful purpose and would amount to abuse of process of the court if allowed to linger any further.

Learned counsel for the opposite party no. 2 on instruction submits that the defacto-complainant has expressed her unwillingness to proceed with the criminal case and she has decided not to support the imputations levelled in the complaint in view of amicable settlement by and between the parties and as such, both the parties prayed before this court for quashment of the said proceeding.

Learned counsel for the State places a report dated 28.6.2026 along with a statement of the defacto-complainant dated 25.6.2026 and submits that the dispute between the parties is private and matrimonial in nature and when the parties have amicably settled their dispute outside the court, the State does not want to stand in their way to lead future peaceful life.

Having heard learned counsel appearing on behalf of all the parties, it appears that the defacto-complainant has stated before the police that she does not want to proceed

further with the criminal proceeding in view of amicable settlement arrived at by and between the parties and she has also decided not to support the imputations levelled against the petitioners.

In such circumstances, the chance of conviction of the petitioners at the end of trial is bleak and if the prayer for quashment is disallowed merely on the ground that some of the sections are non-compoundable, it may become counter productive. Therefore, in the interest of future peaceful life of both the parties, I find that this is a fit case where the proceeding is to be quashed invoking this court's jurisdiction under Section 528 of the BNSS.

In view of above, CRR 2074 of 2026 along with CRAN 1 of 2026 are allowed.

The impugned proceeding being G.R. case no. 4928 of 2022 arising out of Technocity Police Station case no. 229 of 2022 dated 27th November, 2022 under Sections 498A/323/325/307/406/506/34 of the IPC read with Section 3/4 of the Dowry Prohibition Act, presently pending before the learned Chief Judicial Magistrate, Barasat is hereby quashed.

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.)