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**CRR 2174 of 2026
with
CRAN 1 of 2026**

**XXX & Anr.
Vs.
The State of West Bengal & Anr.**

Mr. Angshuman Chakraborty
Mr. S.S. Saha ... for the petitioners

Sk. Masud Hasan
Ms. Mehjabin Begum ... for the O.P. no. 2

Mr. Sagar Saha
Ms. Nayana Mukhopadhyay ...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 Kotwali Police Station case no. 185 of 2026 dated 17.2.2026, presently pending before the learned Additional Sessions Judge, 1st Court, Krishnanagar, Nadia.

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 defacto-complainant and the petitioners have amicably settled their dispute outside court and the defacto-complainant has got married to the petitioner no. 1 and they are happily enjoying their conjugal life. At present, the defacto-complainant is carrying for three months.

It is further submitted on behalf of the petitioners that in view of amicable settlement arrived at by and between

the parties and also in view of the fact that the defacto-complainant and her witness has decided not to support the imputations levelled in the complaint during trial, further continuance of the impugned proceeding against the petitioners would be nothing but a mere abuse of process of the court. Therefore, the petitioners have prayed for quashment of the said proceeding.

Learned counsel for the opposite party no. 2 submits that the FIR was lodged out of a mis-understanding but now the disputes between the defacto-complainant and the petitioners have been amicably settled outside the court and therefore, learned counsel for the opposite party no. 2 on instruction submits that the defacto-complainant does not want to continue any further with the impugned proceeding. He further submits that the petitioner no. 1 and the defacto-complainant got married under the provision of Special Marriage Act on 23rd March, 2026.

Learned counsel for the State submitted a report dated 28.6.2026, which discloses that the Investigating officer had examined the defacto-complainant where she had stated that she had voluntarily settled the dispute with the accused persons and she has no grievance against them at present. The defacto-complainant further stated before the police that she got married to the accused person/petitioner no. 1 and is presently residing with him as his legally wedded wife. She expressed that the settlement has been arrived at out of her own free will, without any coercion,

threat or undue influence and that she does not wish to proceed further with the criminal case. The police has produced the marriage certificate, photos and supporting documents in support of the victim's statement.

Having heard learned counsel appearing on behalf of all the parties, it appears that the parties have amicable settled their dispute and they got married under the provision of Special Marriage Act on 23rd March, 2026 and at present, they are residing peacefully as husband and wife. It is true that after investigation, police has submitted charge-sheet against the accused persons and the allegations are serious in nature and also non-compoundable but in view of the fact that at present, the parties are leading matrimonial life peacefully and the defacto-complainant is carrying for three months, I find that if the prayer for quashment made by both the parties i.e. the defacto-complainant and the petitioner is refused only on the ground that the offences are non-compoundable, it may become counter productive. Therefore, in the interest of their future mutual peaceful co-existence, I find that this is a fit case for invoking this court's jurisdiction under Section 528 of the BNSS and therefore, the present proceeding is liable to be quashed in order to secure the ends of justice.

In view of above, CRR 2174 of 2026 along with CRAN 1 of 2026 are allowed.

The impugned proceeding being Kotwali Police Station case no. 185 of 2026 dated 17.2.2026, presently pending before the learned Additional Sessions Judge, 1st Court, Krishnanagar, Nadia 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.)