

01.07.2026

Serial no. 21

[Srimanta]

Ct. No. - 29

IA No.:CRAN/1/2026
in
CRR 2274 of 2026

In re : An Application under Section 528 of the Bharatiya Nagarik
Sureaksha Sanhita, 2023

-And-

In the matter of : SHIBNATH CHATTERJEE AND OTHERS
... .. Petitioners

Mrs. Reshmi Khatun,
Mr. Samir Mishra, Advocates

... .. For the Petitioners.

Mr. Kallol Mondal, Ld. P.P.,
Mr. Sagar Saha,
Ms. Nayana Mukhopadhyay, Advocates

.....For the State.

Mr. Arpayan Mukherjee,
Ms. Sabrina Yasmeen, Advocates

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

1. The report submitted by Police dated 28.06.2026 is taken on record.
2. The petitioners herein have prayed for quashment of the proceeding in GR Case No. 866/2026 presently pending before learned Additional Chief Judicial Magistrate, Haldia.
3. Being aggrieved by the aforesaid proceeding, learned Counsel for the petitioners submits that opposite party no. 2 herein made a complaint against the petitioners, inter alia, alleging that she got married with the petitioner no. 1 and after marriage all the petitioners/accused persons tortured her both physically and mentally and that her

husband had extra marital affair and on 26.04.2026 at about 9:00 A.M. the petitioner no. 1 with regard to some family issue assaulted the opposite party no. 2 and tried to kill her by strangulation and thereafter had driven her out of matrimonial house.

4. Being aggrieved by the aforesaid proceeding, learned Counsel for the petitioners submits that the petitioner no. 2 and 3 never pressurized the opposite party no. 2 or created any disturbance in leading her peaceful matrimonial life with her husband nor was she ever tortured by the present petitioners. They have been falsely implicated in the instant case. However, during pendency of the instant proceeding good sense prevailed among the parties and they have come forward to settle the dispute amicably at the intervention of relatives and well-wishers. At present, both the parties are leading their matrimonial life peacefully as husband and wife and I am also told that the de facto complainant is presently carrying. Therefore, learned Counsel for the petitioners submits that in view of amicable settlement and in the interest of their future matrimonial life the proceeding may be quashed.
5. Learned Counsel appearing on behalf of the opposite party/de facto complainant submits that in view of amicable settlement arrived at by and between the parties the de facto complainant has decided not to proceed further with

the impugned proceeding. Learned Counsel for the opposite party no. 2, on instruction, further submits that opposite party no. 2 has decided not to support the imputation leveled against the petitioners during trial in view of amicable settlement.

6. Learned Counsel appearing on behalf of the State today placed a report dated 28.06.2026 sent by Assistant Sub-Inspector, Nandigram Police Station which discloses that the matter between the parties has been amicable resolved and settled and the de facto complainant submitted a written declaration that she is presently residing at her matrimonial house along with her husband, father-in-law and mother-in-law and that she has no allegation against her husband or any of his family members at present.
7. Having heard learned Counsel for the petitioners and both the opposite parties, it appears that the parties have amicably settled their dispute and presently residing as husband and wife peacefully. It further appears that both petitioners and opposite party no. 2 have prayed for quashment of the proceeding. In such circumstances, if the prayer for quashment made by both the parties is refused only on the ground that offence under Section 498A is a non-compoundable offence, it may become counter-productive. Therefore, considering their future mutual peaceful co-existence, 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 to secure the ends of justice.

8. In view of above, CRR/2274/2026 along with CRAN/1/2026 is allowed.
9. The impugned proceeding being GR Case No. 866/2026 presently pending before learned Additional Chief Judicial Magistrate, Haldia is hereby quashed.
10. Certified copy of FIR filed by the petitioners is taken on record.

(Dr. Ajoy Kumar Mukherjee, J.)