

30.06.2026

Serial no. 09

[Srimanta]

Ct. No. - 29

IA NO: CRAN/1/2025, CRAN/4/2026, CRAN/5/2026
in
CRR 3209 of 2025

In re : An Application under Sections 482 read with Section 401 of the Code of Criminal Procedure, 1973 corresponding to Sections 442/528 of the Bharatiya Nagarik Sureaksha Sanhita, 2023

-And-

In the matter of : SUDEEP KHANNA AND OTHERS

... .. Petitioners

Mr. Sayan Kanjilal, Advocate

... .. For the Petitioners.

Mr. Imran Siddiqui, Advocate

.....For the State.

Ms. Anita Kaunda,

Ms. Anubrata Dutta,

Ms. Afreen Azad, Advocate

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

1. Leave to correct the name of the Court Number is granted.
2. In this application, the petitioners have prayed for quashing of CGR Case No. 797/2020 arising out of New Alipore Police Station Case No. 53/2020 under Sections 498A/406/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act, 1961 presently pending before the learned Magistrate. The Investigating Agency has submitted charge-sheet after completion of investigation.
3. Being aggrieved by the aforesaid proceeding, learned Counsel for the petitioners submitted that the instant case has been lodged with a mala fide intention of wreaking vengeance upon the petitioners and to pressurize them to

succumb to the illegal demands made by the opposite party no. 2. During investigation, the opposite party no. 2 has failed to produce any iota of evidence that can indicate the essential ingredients of the alleged offence.

4. Petitioners are the husband, mother-in-law, sister-in-law and husband of sister-in-law of the de facto complainant.
5. It is submitted during continuance of the said criminal proceeding good sense prevailed among the parties and they have amicably settled their dispute outside Court and thereby the de facto complainant has decided not to proceed further with the said criminal proceeding. In such circumstances the petitioners have prayed for quashment of the said proceeding.
6. Learned Counsel appearing on behalf of the opposite party no. 2 submits that in view of amicable settlement between the parties a Memorandum of Understanding has been executed by and between the parties and in view of settlement, learned Counsel for the opposite party no 2 on instruction submits that the opposite party no. 2 herein has decided not to support the imputations leveled against the petitioners during trial. Therefore she also prayed for quashment of the proceeding.
7. Learned Counsel appearing on behalf of the State submits a report dated 27.06.2025 filed by Officer-in-Charge, New Alipore Police Station, which discloses that the concerned

Investigating Authority has recorded the statement of the de facto complainant who had stated before them that since the matter has been settled amicably, so she does not want to proceed further with the case.

8. In view of aforesaid submissions made on behalf of the petitioner and both the opposite parties it appears that the opposite party no. 2/de facto complainant has decided not to support the imputations leveled against the petitioners and as such there is hardly any chance of conviction at the end of trial. In the present circumstances when both the petitioner and opposite party no. 2 have prayed for quashment of the proceeding, I find that if the said prayer is disallowed merely on the ground that Section 498A is not a compoundable offence, it may become counter-productive. Therefore, I find when the dispute is purely matrimonial and private in nature, it is a fit case where the proceeding is to be quashed invoking this Court's jurisdiction under Section 528 of the BNSS, in the interest of their future peaceful mutual co-existence.
9. In view of above, CRR/3209/2025 is allowed.
10. The impugned proceeding being CGR Case No. 797/2020 presently pending before the Learned Court below is hereby quashed.

(Dr. Ajoy Kumar Mukherjee, J.)