14.10.2026
Sl No.08
BD
Ct. no. 29

CRR 3397 of 2026
with
CRAN 1 of 2026

Shri Abhijeet Sarmah & Ors.
Vs.
Smt. Ananya Chatterjee & Anr.

Mr. Devajyoti Barman
Ms. Sanjukta Basu Mallick
...for the petitioners

Mr. Sanjib Monal
...for the *de facto* complainant

Mr. Somnath Adhikary
Ms. Madhurai Sinha ...for the State

Petitioners are the husband, parents-in-laws, sister –in-law and husband of the sister-in-law of the complainant who have prayed for quashment of the proceeding being ACGR Case No. 4887 of 2025 under section 85,316(2), 3(5) of the BNSS presently pending before learned Additional Chief Judicial Magistrate, Alipore.

On the basis of a written complaint lodged by the opposite party no. 2 herein the aforesaid proceeding was initiated. In the FIR the allegations of inflicting cruelty has been made by the opposite party no. 1 herein against the petitioners during her stay at her matrimonial house. She has also alleged about physical abuse, verbal abuse made by her husband, which also amounts to mental cruelty.

During pendency of the proceeding parties have amicably settled their disputes and thereby the defacto complainant/opposite party no. 1 has decided not to proceed further with the said criminal proceeding.

Learned counsel for the petitioners submits that in the light of amicable settlement the opposite party no. 1 will not adduce evidence in support of prosecution case and therefore further continuance of the impugned proceeding against the petitioners would be mere abuse of the process of the court. Therefore petitioners have prayed for quashment of the proceeding.

Learned counsel for the opposite party no. 1 on instruction submits that the opposite party no. 1 has decided to withdraw the complaint and she does not want to proceed further with the criminal proceeding in view of amicable settlement and therefore, she also prays that the proceeding may be quashed as sought for by the petitioners.

Learned counsel for the State submits that the opposite party no. 1 has given a letter to the Officer-in-charge, Haridebpur Police Station, where she has stated that the parties have arrived at a mutual settlement and both have already exchanged gifted articles with each other and they have no further claim and therefore, the opposite party no. 1/complainant no longer wish to take legal action against the petitioners and therefore, she expressed her willingness to

withdraw her case from the court of law as she has no grievance on her part nor has any objection if the proceeding is dropped. Therefore, learned counsel for the State leaves the prayer for quashment made by the petitioners and the opposite party no. 1 to the discretion of the court.

Having considered the submissions made on behalf of the parties, and on perusal of the contents of the connected application being CRAN 1 of 2026, it appears that defacto complainant has unequivocally expressed her desire not to pursue the case in view of the fact that the parties have amicably resolved their differences and have arrived at a mutual understanding.

Ex-facie the settlement between the parties appears to be genuine. In these circumstances, the continuation of the aforesaid criminal proceeding would not serve any meaningful purpose. It would only prolong distress for all concerned and will only burden the court without the likelihood of a productive outcome.

Therefore, having considered the special features of the case and taking into account the clear stand taken by the defacto complainant and the nature of settlement, I am of the view that further continuation of the criminal proceeding would not serve any useful purpose and would only amount to abuse of process of the court.

In such view of the matter, CRR 3397 of 2026 along with connected application being CRAN 1 of 2026 are allowed.

The impugned proceeding being ACGR Case No. 4887 of 2025 corresponding to Haridevpur Police Station Case No. 464 of 2025, presently pending before learned Additional Chief Judicial Magistrate, Alipore 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.)