08.10.2026
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Bd.
(Disposed of)
Ct.05

Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side
C.R.R. 366 of 2026

Sri Dilip Roy & Ors.
-vs-
The State of West Bengal & Anr.

Mr. Niloy Chakraborty
Mr. Sourav Lohani …for the Petitioners

Ms. Suparna Paul
Ms. Avishika Das … for the private respondents.

Mr. Avrojyoti Das
Ms. Ruchika Agarwala
Ms. Madhushri Dutta … for the State.

In this application petitioners have prayed for quashment of the proceeding being GR Case No. 6901 of 2022 presently pending before learned Chief Judicial Magistrate, Jalpaiguri,

Being aggrieved by the aforesaid proceeding, learned counsel for the petitioners submits that the aforesaid criminal proceeding, was initiated on the basis of written complaint lodged by opposite party no. 2, concerning allegations arising out of matrimonial discord. However, the allegations made therein are general and omnibus in nature and no specific overt act has been attributed to each of the petitioners so as to disclose the commission of the alleged offence.

During pendency of the said criminal proceeding the parties have amicably resolved and settled their

matrimonial disputes and differences and have mutually agreed to bring an end to their matrimonial relationship in a peaceful manner. The parties have also filed mutual divorce petition, which is still pending for disposal.

In view of aforesaid settlement the opposite party no. 2 has no subsisting grievance against the petitioners and does not wish to pursue the criminal proceeding any further. Therefore, petitioners submit that continuance of the criminal proceeding would serve no useful purpose and therefore aforesaid criminal proceeding which is basically arisen due to matrimonial dispute may be quashed.

Learned counsel, Ms. Suparna Paul, appearing on behalf of the opposite party no. 2, submits that the matter has been amicably settled and in view of such settlement opposite party no. 2 has decided not to support the imputation levelled against the petitioners in this petition of complaint and in the interest of their future peaceful life she also prays for quashment of the proceeding.

Learned counsel appearing on behalf of the State placed the case diary and pointed out three statements recorded by police during investigation under section 161 of the Cr.P.C. and she leaves the prayer for quashment made by the parties to the discretion of the Court.

Having heard learned counsel appearing on behalf of the petitioners and both the opposite parties and also on perusal of the case diary it appears that the materials

collected during investigation does not constitute any criminal offence against any of the petitioners. Furthermore, parties have amicably settled their disputes and the opposite party no. 2 has decided not to support the imputations levelled against the petitioners in the written complaint as such further continuance of the said criminal proceeding would be a mere wastage of court's hour.

In such view of the matter CRR 366 of 2026 is allowed.

The impugned proceeding being GR Case No. 6901 of 2022 presently pending before learned Chief Judicial Magistrate, Jalpaiguri is hereby quashed.

Urgent Photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)