

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI

01.07.2026
Ct No.5
Item No.55
Ranita

CRR 350 of 2023
CRAN 1 of 2024
CRAN 3 of 2025

In Re: Saikat Ghosh

..... Petitioner

Mr. Arnab Sengupta
Mr. D. Dhar

...for petitioner.

Mr. Avrojoyti Das, Ld. APP
Mr. Bijoy Bikram Das
Mr. Rajdeep Das

...for State.

Mr. N. Dutta
Mr. Rajat Ch. Singha

...for OP No.2

1. This is an application by the petitioner seeking quashing of the GR case No.2225 of 2023 connected with Siliguri Women Police Station case No.85 of 2023 dated 21.06.2023 under Sections 376, 417 and 323 of the Indian Penal Code, before the Additional Chief Judicial Magistrate, Siliguri, Dist- Darjeeling. Later on the case has been committed to the Court of Sessions and is now pending before the Additional Sessions Judge 1st Court at Siliguri being case No.152 of 2026. The charge against the present petitioner is relating to false promise of

marriage and committing sexual relationship with the complainant, on that pretext.

2. Mr. Arnab Sengupta, learned advocate appearing for the petitioner has submitted that the F.I.R has now become infructuous in so far as the parties have been married on 23.11.2024, during pendency of the instant proceeding. In support of his contention, he has produced the original marriage certificate in Court. He also includes the photocopy in the application number CRAN 3 of 2025 jointly filed by the parties in connection with the instant criminal revision case, which is for an appropriate order by the Court.
3. Considering the submission made on behalf of the petitioner which is supported by learned advocate on behalf of the private opposite party as well, and considering the contention made in the joint application filed by the parties bearing No. CRAN 3 of 2025, it appears that though the case was initiated on the allegation of deceitful promise extended for marriage and sexual intercourse done by the present petitioner towards the private opposite party and not fulfilling the promise of marriage though committed sexual relation with her, now their relationship has culminated into marriage between the two.
4. It is further found that the marriage took place much earlier on 23.11.2024 and since thereafter parties are living together peacefully as husband and wife.
5. For the reasons as stated above, it is found proper to let this criminal revision case along with applications pending to be

dismissed for the reason that sending petitioner to rigor of trial at this stage would amount to misuse of the process of Court.

6. Hence, the criminal revision case No.152 of 2026 is allowed. The case No.152 of 2026 pending before the Additional District Judge, 1st Court, Siliguri is quashed and set aside.
7. The criminal revision No. 152 of 2026 is disposed of along with applications pending if any.

(Rai Chattopadhyay, J.)