

**09.06.2026**  
**Serial no. 21**  
[Srimanta]  
Ct. No. - 29

**CRR/260/2025**

In re : An Application under Sections 528 of Bharatiya Nagarik Surekshya Sanhita, 2023 (Under Section 482 of the Code of Criminal Procedure, 1973)

-And-

**In the matter of : ARITRA ROY AND OTHERS**  
... .. Petitioners

*Mr. Santanu Singha,*  
*Mr. Suranjan Mandal,*  
*Mr. Amit Kumar Roy, Advocates*  
... .. *For the Petitioners.*

1. Petitioners herein have prayed for quashing of proceeding being G.R. Case No. 1782/2024 under Sections 85/316(2)/351/3(5) of Bharatiya Nyaya Sanhita, 2023 presently pending before the learned Judicial Magistrate, 6<sup>th</sup> Court, Alipore. Being aggrieved by the aforesaid proceeding learned Counsel for the petitioners submits that after making a perfunctory investigation the Investigating Authority has submitted charge-sheet against the petitioners though during investigation no direct or indirect evidence could be gathered to implicate the present petitioners with the alleged offences. Opposite party no. 2/complainant left her matrimonial home voluntarily without giving any intimation to the petitioner and his

parents. Despite petitioner's repeated requests, the opposite party no. 2 refused to return to her in laws house.

2. However, at the intervention of the well wishers and the relatives the disputes which are basically matrimonial and private in nature have been amicably settled and to that extent a mutual decree of divorce has been granted in MAT Suit No. 2045/2022 on 08.02.2023 and, therefore, the matrimonial tie between the parties have already been dissolved on mutual terms and conditions. He further submits that in view of such amicable settlement further continuance of the impugned proceedings shall be mere abuse of the process of the Court as the de facto complainant is not supposed to support her imputations during trial.
3. Having heard learned Counsel for the petitioners the application is admitted.
4. Petitioners are directed to serve a copy of application upon the State through the office of the learned Public Prosecutor, High Court, Calcutta and upon opposite party no. 2 through speed post intimating the next date of hearing and to file affidavit-of-service on the returnable date.
5. Let the matter be listed in the Combined Monthly List of July, 2026.

6. State is directed to produce the Case Diary on the date fixed.

**(Dr. Ajoy Kumar Mukherjee, J.)**