

22.07.2026

Serial no. 04

[Srimanta]

Ct. No. - 29

**IA No.:CRAN/1/2026, CRAN/2/2026, CRAN/4/2026
in
CRR 1846 of 2025**

XXX & ORS.

-VS-

THE STATE OF WEST BENGAL & ANR.

Ms. Aishwarya Gopalakrishnan, Advocate

... .. For the Petitioners.

Mr. Imran Siddiqui, Advocate

.....For the State.

Mr. Jitesh Sah,

Ms. Sushma Baruah, Advocates

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

1. In this application, the petitioners have prayed for quashing the proceeding being Jadavpur Police Station Case No. 188/2022 dated 19.09.2022 pending before learned Additional Chief Judicial Magistrate, South 24-Parganas at Alipore.
2. Being aggrieved by the aforesaid proceeding, learned Counsel for the petitioners has preferred the instant application contending that petitioner no. 1 is the husband, petitioner no. 3 is the sister-in-law, petitioner no. 4 is the father-in-law and petitioner no. 5 is the mother-in-law of the de facto complainant/opposite party no. 2. Since the inception of the marriage there has been various misunderstanding and disagreements leading to certain disputes which, according to the petitioners, had given rise to the instant FIR. After completion of investigation, Police has submitted charge-sheet against the said petitioners.

3. It is submitted that the petitioner no. 1 and the opposite party no. 2 being husband and wife thereafter decided to reconcile and resume peaceful relationship and the petitioners have assured the opposite party no. 2 that there would not be any occurrence or any conduct that would amount to cruelty or harassment of the opposite party in future. Thereby the parties have mutually agreed to put an end to their dispute and the petitioners and the opposite party no. 2 have decided to live in harmony and lead a peaceful married life together. As a result during the continuance of the instant proceeding the petitioner and the opposite party no. 2 have filed a connected application being CRAN/4/2026.
4. Learned Counsel appearing on behalf of the petitioners submits that since the matter has been settled amicably and both the parties have voluntarily decided to continue with the matrimonial tie, therefore, the opposite party no. 2 herein has decided not to support the imputations leveled in the complaint during trial. Therefore, learned Counsel for the petitioners submits that since both the parties have genuinely resolved their dispute and differences peacefully and de facto complainant has decided to withdraw the complaint leveled against the petitioners herein, further continuance of the impugned proceeding would be mere abuse of the process of the Court.

5. Learned Counsel appearing on behalf of the opposite party no. 2, on instruction, submits that she is at present residing along with the petitioners peacefully and, therefore, she does not want to proceed further with the criminal proceeding and she also prayed for quashment of the proceeding. Learned Counsel appearing on behalf of the State placed the case diary and leaves the prayer made by the petitioners to the discretion of the Court.
6. Having heard learned Counsel for the petitioners and the opposite parties, I find that the parties are leading peaceful matrimonial life at present and as such the opposite party no. 2 has decided not to support the imputation leveled against the petitioners during trial and as such even if the proceeding is allowed to continue the chance of conviction of the petitioners is bleak. Furthermore, if the prayer for quashment made by both the petitioners and the opposite party no. 2 is refused merely on the ground that some of the offences are non-compoundable, it may become counter-productive and may frustrate the object of such legislation. Therefore, I find that this is a fit case where the proceeding is required to be quashed invoking this Court's jurisdiction under Section 482 of the Code of Criminal Procedure.
7. In view of above, CRR/1846/2025 is allowed.

8. The criminal proceeding being Jadavpur Police Station Case No. 188/2022 dated 19.09.2022 presently pending before learned Additional Chief Judicial Magistrate, South 24-Parganas at Alipore is hereby quashed qua the petitioners, namely, **Sk. Mazarul, Nasim Begum, Sk. Mortuja Hoseen, Tamuna Bibi.**

(Dr. Ajoy Kumar Mukherjee, J.)