

10.06.2026

Sl. No.33

Ct. No. 29

Sws.M

CRR 1963 of 2026

In the matter of : Shaikh Ejaz Nizam @ Shaikh Ejaz & Anr.

... Petitioners

Md. Babul Hussain

Ms. Sikha Biswas

... for the petitioners

The petitioners herein have prayed for quashing of the entire proceeding being, G.R. Case No.3925 of 2025 under Sections 498A/406/34 of IPC read with Sections 3 and 4 of the Dowry Prohibition Act, now pending before the learned Chief Judicial Magistrate, Alipore.

Being aggrieved by the aforesaid proceeding, learned counsel for the petitioners submits that the allegations levelled in the FIR are vague, improper and devoid of specific particulars. He further submits that the marital tie in between the opposite party and petitioner No. 1 has been dissolved by way of Khula Talak on 9th April, 2025. It has been agreed by and between the parties that she would withdraw all the pending proceedings lodged against the petitioners. One of such proceeding lodged by her under the provision of the Domestic Violence Act, has already been dismissed for non-prosecution on 30th January, 2026.

He further submits that in view of amicable settlement by and between the parties, the opposite party No.2 has decided not to proceed further with the criminal proceeding. Therefore, he submits

that further continuance of impugned proceeding would be mere abuse of the process of the Court.

Having heard learned counsel for the petitioners, the application is admitted.

The 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 next date of hearing and to file affidavit of service on the returnable date.

Let the matter be listed in the 'Combined Monthly List of July, 2026'.

Learned counsel for the petitioners prays for interim relief.

Having heard learned counsel for the petitioners and that the petitioners have made out an arguable case, which requires adjudication on merit, let all further proceeding of G.R. Case No. 3925 of 2025, presently pending before the learned Chief Judicial Magistrate, Alipore, hereby stayed for a period of eight weeks or until further order, whichever is earlier.

(Dr. Ajoy Kumar Mukherjee, J.)