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CRR 3039 of 2026

**Gaurav Khatri & Ors.
Vs.
The State of West Bengal & Anr.**

Mr. Nigam Ashish Chakraborty
Mr. Agniva Banerjee
Ms. Ankita Paul ...for the Petitioners

Ms. Ankana Pal
Md. Aman ...for the O.P. no. 2

In this application, the petitioners have prayed for quashment of the proceeding being GR case no. 390 of 2016, presently pending before the learned Chief Judicial Magistrate, Barasat.

Being aggrieved by the aforesaid proceeding, learned counsel for the petitioner submits that the petitioner no. 1 got married to the opposite party no. 2/defacto-complainant in the year 2012 and they are also blessed with a male child.

However, due to matrimonial discord, the opposite party no. 2/defacto-complainant left her matrimonial house and thereafter lodged the instant complain with the allegation that the petitioners had inflicted torture and had threatened her to leave the matrimonial home with the minor child, and that the petitioner no. 1 had beaten the opposite party no. 2. It is further alleged that the petitioners herein never used to give proper food to the opposite party no. 2 and as such she was subjected to various forms of mental and physical cruelty at the behest of the petitioners herein. After completion of

investigation, the Investigating authority has submitted charge-sheet against the petitioners.

However during the pendency of the said proceeding, with the intervention of the common relatives, family members and well wishers, the petitioner no. 1 and the opposite party no. 2 have resolved their issues and have amicably settled their dispute and thereby they have entered into a memorandum of understanding on 11th June, 2026. As per terms of the said memorandum of understanding, the opposite party no. 2 has decided not to support the imputations levelled in the complaint and in such view of the matter, further continuance of the instant proceeding would be nothing but mere abuse of process of the court.

Learned counsel for the opposite party no. 2 submits that he has already served one copy of the application and his client's instruction is that she does not want to proceed with the said criminal proceeding and therefore she also prayed that the proceeding is to be quashed.

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

Petitioners are directed to serve a copy of the application upon the State through the office of the Public Prosecutor, High Court, Calcutta.

Let the matter appear on 9th September, 2026 under the heading **"To Be Mentioned"**.

Both the parties will be at liberty to file connected application regarding the settlement, as sought for.

State is directed to produce the case diary on the date fixed along with a report.

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.)