

23.04.2026

Sl. No.10.

D/L.

Mithun.

Ct.No.29.

CRR/3661/2025

Subrata Sarkar & Anr.

Vs.

State of West Bengal & Anr.

Mr. Malay Bhattacharya,
Mr. Subhrajyoti Ghosh

...for the petitioners

Petitioners herein have prayed for quashing of the proceeding being G.R. Case No.2655 of 2022 presently pending before learned Judicial Magistrate, Bongaon.

Being aggrieved by the aforesaid proceeding, learned Counsel for the petitioners submits that the opposite party no.2/complainant on her own whim withdrew herself from the marriage and left her matrimonial home on 14.07.2022. The petitioners herein filed a matrimonial suit No.237 of 2022 praying for dissolution of marriage and as a counterblast the opposite party no.2 lodged the instant complaint just to harass and humiliate the petitioners. The opposite party no.2 on 15.08.2022 forcefully re-entered into the house of the petitioners with the help of her father and other associates and filed another Complaint Case being no.154 of 2022 under the Protection of Women from Domestic Violence Act. The injury report issued by the Medical Officer dated 27.08.2022 also does not mention any significant injury and, therefore, the ingredients of the offence as alleged in the complaint are conspicuously absent in the present case. Therefore, further

continuance of the impugned proceeding would be mere abuse of the process of the Court,

Having heard learned Counsel for the petitioner, the application is admitted.

Petitioners are directed to serve a copy of application upon the State through the office of 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 under the heading "Contested Application" in the Monthly List of June, 2026.

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

Petitioners will be at liberty to pray for interim relief, if any, after service of copy to the opposite parties.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Dr. Ajoy Kumar Mukherjee, J.)