

9.9.2026

7
sb

CRR 3397 of 2026

with

CRAN 1 of 2026

Shri Abhijit Sarmah & Ors.

Vs.

Smt. Ananya Chatterjee & Anr.

Mr. Devajyoti Barman

Ms. Sanjukta Basu Mallick

...for the Petitioners

Mr. Sanjib Mondal

...for the Opposite Party

In this application, the petitioner has prayed for quashment of the proceeding being A.C.G.R. case no. 4887 of 2025 under Sections 498A/406/34 of the IPC read with Section 3 and 4 of the Dowry Prohibition Act, presently pending before the learned Chief Judicial Magistrate, Alipore.

Being aggrieved by the aforesaid proceeding, learned counsel for the petitioners submits that the marriage between the petitioner no. 1 and the opposite party no. 1 was registered under Special Marriage Act on 8.1.2021 but with the passage of time and due to certain differences that arose between them, the petitioner no. 1 and opposite party no. 1 decided to live separately. It is further submitted that out of misunderstanding, the petitioner no. 1 has instituted the present proceeding with the allegation that she was subjected to mental and physical cruelty. On the basis of such allegation, the aforesaid case being Haridevpur Police Station case no. 464 of 2025 was started.

However, over the course of time and upon the intervention of well-wishers and common relatives of the

petitioners, parties have entered into an amicable settlement. Therefore, the petitioner no. 1 and the opposite party no. 1 have decided to bury the hatchet between themselves once and for all and has decided to move in their respective life. The parties have already filed a petition on 7.1.2026 under Section 28 of the Special Marriage Act for dissolution of marriage. He further submits that in terms of the settlement, the proceeding filed under the Protection of Women from Domestic Violence Act being AC case no. 2823 of 2025 has been withdrawn by the opposite party no. 1 herein. Since the opposite party no. 1 does not have any grievance against the present petitioners, further continuance of the impugned proceeding against the petitioners would be nothing but a mere abuse of process of the court. Therefore, he prayed for quashment of the instant proceeding in view of connected application being CRAN 1 of 2026 recording settlement.

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

Petitioners are directed to serve a copy of the application upon the opposite party no. 1 by speed post and the State through the office of the Public Prosecutor, High Court, Calcutta intimating the next date of hearing and to file affidavit of service on the returnable date.

Let the matter appear on 23rd September, 2026 under the heading **“To Be Mentioned”**.

State shall produce the case diary on the date fixed.

Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance with all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)