

December 18, 2024

24 ARDR

Calcutta High Court
In The Circuit Bench at Jalpaiguri

CRR 494 of 2024

Anirban Chakraborty
Vs.
The State of West Bengal & anr.

Adv. Arnab Saha,
Adv. Rajan Rej,

...for the petitioner.

Learned counsel for the petitioner submits that the petitioner is the husband of the private opposite party. Due to disputes and differences between the parties, a suit for mutual divorce was filed which is pending. Three earlier complaints under Section 498A of the Indian Penal Code were lodged by the private opposite party against the petitioner which have been stayed by intervention of this Court. The parties were sent for mediation which failed. There was a direction for sending the matter for mediation for a second time. But the mediation process has not been initiated till date. The present proceeding being G.R. case no. 4096 of 2024 pending before the learned Additional Chief Judicial Magistrate, Siliguri is the fourth complaint lodged by the private opposite party. The petitioner seeks quashing of the complaint and direction for initiating the mediation process.

Upon the consideration of the material available on record, this Court is of the view that the mediation directed by this Court ought to be initiated at the earliest.

The learned Registrar, Circuit Bench, Jalpaiguri is requested to take necessary steps for initiation of the mediation between the parties at the earliest.

Further proceedings of G.R. case no. 4096 of 2024 pending before the learned Additional Chief Judicial Magistrate, Siliguri be stayed till receipt of the mediation report.

The petitioner is directed to serve copy of the application along with annexure thereto upon the opposite parties and file affidavit of service on the adjourned date.

Liberty to mention upon conclusion of the mediation proceedings.

(Suvra Ghosh, J.)