

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE**

**PRESENT:
THE HON'BLE JUSTICE UDAY KUMAR**

CRR 2063 OF 2024

**SRI PRINCE BANSAL
-VS-
STATE OF WEST BENGAL & ANR.**

For the Petitioner : Mr. Abhay Singh
Mr. Abhimanyu Banerjee
Mr. Abdul Noorman

For the State : Ms. Priti Kar Bagchi

Reserved on : 01.09.2026

Pronounced on : 14.09.2026

UDAY KUMAR, J.: –

1. The mechanics of criminal jurisprudence often find themselves entangled in the bitter aftermath of fractured matrimonial alliances, persisting long after the legal ties of marriage have been formally dissolved by a court of competent jurisdiction. The instant application under Section 482 of the Code of Criminal Procedure, 1973, brings to the fore a classic instance of post-divorce criminal prosecution where a proceeding initiated under Section 498A of the Indian Penal Code survives merely as a mechanical remnant of a defunct matrimony. By this criminal revisional application, the petitioner, Sri Prince Bansal, invokes the inherent jurisdiction of this Court seeking the quashing of General Register Case No. 815 of 2020

arising out of Lake Town Police Station Case No. 200 of 2020 dated 17.11.2020, registered under Section 498A of the Indian Penal Code, 1860, currently pending disposal before the Learned Additional Chief Metropolitan Magistrate, Bidhannagar Court, North 24 Parganas, along with the charge sheet bearing No. 14/2021 dated 31.01.2021 and all consequential proceedings.

2. The factual matrix unfurls from a matrimonial relationship between the petitioner and Opposite Party No. 2, Smt. Anamika Sarkar, which commenced through a court marriage solemnized on 19.07.2018 at the office of the Marriage Officer, North 24 Parganas at Lake Town, Kolkata, followed by a social marriage performed according to Hindu rites and customs on 11.12.2019 in Kolkata. Following the marriage, Opposite Party No. 2 resided at the matrimonial home in Meerut, Uttar Pradesh, for approximately 45 days. Due to temperamental differences and domestic incompatibilities, the parties subsequently shifted to a rented apartment in Dwarka, New Delhi, where Opposite Party No. 2 was employed with Indigo Airlines.
3. The marital discord escalated sharply, prompting the petitioner to lodge a formal complaint on 19.03.2020 before Police Station Mohan Garden, New Delhi, against Opposite Party No. 2, alleging acute harassment and threats of suicide, an ordeal that the petitioner asserts resulted in the loss of his employment. Shortly thereafter, on 22.03.2020, immediately preceding the nationwide COVID-19 lockdown, the couple permanently separated. The petitioner vacated the shared rental apartment in Dwarka, while Opposite Party No. 2 continued to reside therein.

4. Seeking penal recourse, Opposite Party No. 2 subsequently filed an application under Section 156(3) of the Cr.P.C., registered as M.P. Case No. 88 of 2020, before the Learned Additional Chief Judicial Magistrate at Bidhannagar. Pursuant to an order dated 06.11.2020 passed by the learned Magistrate, Lake Town Police Station Case No. 200 of 2020 was registered on 17.11.2020 under Section 498A of the IPC. Upon completion of investigation, the Investigating Officer submitted a charge sheet (Charge Sheet No. 14/2021 dated 31.01.2021) against the petitioner, upon which the petitioner surrendered before the jurisdictional court and was enlarged on bail.
5. The trajectory of the dispute underwent a definitive transformation when, after more than three years of continuous separation, the parties resolved to bring an official closure to their marital discord. Opposite Party No. 2, having moved on with her life and desirous of regularizing her status, approached the petitioner for a divorce by mutual consent under Section 13-B of the Hindu Marriage Act, 1955. Jointly, they approached the Court of the Ld. Principal Judge, Family Court (South-West District), Dwarka Courts, Delhi, instituting HMA Petition No. 1015/23 (subsequently numbered as HMA 1146/23). In their joint statements and formal pleadings (Ex. PA), the parties explicitly declared that they had amicably resolved all claims pertaining to maintenance (past, present, and future), dowry, permanent alimony, and *stridhan*. Crucially, paragraph 7 of the First Motion joint statement and paragraph 8 of the Second Motion joint statement incorporated a solemn and binding undertaking by Opposite Party No. 2, wherein she agreed to withdraw the criminal case pending

before the Ld. ACJM, Bidhannagar, immediately upon the allowance of the mutual consent divorce petition.

6. Acting upon these joint statements and settlement terms, the Ld. Principal Judge, Family Court, Dwarka, allowed the First Motion under Section 13-B(1) on 29.03.2023. Subsequently, invoking the parameters enunciated by the Supreme Court in *Amardeep Singh v. Harveen Kaur* [(2017) 8 SCC 746] and *Amit Kumar v. Suman Beniwal* [(2023) 17 SCC 648], the Family Court waived the statutory six-month cooling-off period and allowed the Second Motion under Section 13-B(2) on 18.04.2023, formally dissolving the marriage by a decree of divorce by mutual consent. However, despite the dissolution of marriage and the subsequent relocation and remarriage of Opposite Party No. 2, she reneged on her solemn judicial undertaking, refusing to cooperate or appear before the Bidhannagar Court to withdraw the criminal proceedings. Consequently, the petitioner remains tethered to a criminal trial in Kolkata, prompting the invocation of this Court's inherent jurisdiction.
7. Mr. Abhay Singh, learned counsel appearing for the petitioner, strenuously contends that the continuation of the impugned criminal proceeding is an egregious abuse of the process of law and a nullity in the wake of the subsequent developments. The primary planks of the petitioner's submissions are structured as follows:
 - a. It is submitted that the substratum of the matrimonial dispute has completely vanished following the decree of divorce by mutual consent granted by the Family Court at Dwarka, Delhi. All financial claims, dowry demands, and *stridhan* articles stand fully

settled and exchanged, leaving no surviving civil or matrimonial grievance between the parties.

- b. Learned counsel, relying on the decision of the Hon'ble Supreme Court in *Shlok Bharadwaj vs. Runika Bharadwaj and Others* [(2015) 2 SCC 721] emphasizes that Opposite Party No. 2 obtained the benefit of an accelerated mutual consent divorce by making a solemn, binding undertaking before the Family Court to withdraw the pending Section 498A IPC proceeding. Having reaped the benefit of the divorce decree, her subsequent refusal to honor the undertaking and withdraw the criminal case constitutes sheer bad faith and a fraud upon the judicial mechanism.
- c. It is argued that a perusal of the initial 156(3) application, the FIR, and the charge sheet reveals no specific, credible allegations or essential legal ingredients satisfying the requirements of Section 498A IPC. Furthermore, the initiation of criminal proceedings in Kolkata while the parties resided in New Delhi demonstrates an ulterior motive aimed at harassing the petitioner.
- d. Relying upon landmark pronouncements of the Supreme Court, including *B.S. Joshi & Others v. State of Haryana & Another* [(2003) 4 SCC 675] and *Gian Singh v. State of Punjab & Another* [(2012) 10 SCC 303], learned counsel urges that where parties have amicably resolved their matrimonial disputes and moved on with their lives, forcing the accused to undergo the rigors of a criminal trial serves no public interest and warrants immediate quashing under Section 482 Cr.P.C.

8. Despite due service of notice, no representation was entered on behalf of Opposite Party No. 2 at the time of hearing, though she has relied on Paragraphs 8-10 of the decision of the Hon'ble Supreme Court in *Reji Baby vs. Subi Mary & Ors.* [2026 SCC OnLine SC 1697] in support of her stand in the present application. Her position, however, is conclusively reflected in the judicial records of the Dwarka Family Court, where she voluntarily submitted to the jurisdiction of the court, verified the joint statements, acknowledged the receipt of all settlement settlements and *stridhan*, and consented to the dissolution of marriage.
9. The State-Opposite Party No. 1 is represented by the learned Public Prosecutor, who submits that although a charge sheet has been submitted by the investigating agency upon finding a *prima facie* case during the mechanical stage of investigation, the legal consequence of a subsequent amicable settlement, mutual consent divorce, and formal undertaking upon a non-compoundable criminal proceeding falls squarely within the discretionary purview of this Court's inherent powers under Section 482 of the Cr.P.C., to be exercised in accordance with established judicial guidelines.
10. The foundational facts, the subsequent trajectory of the matrimonial resolution, and the rival submissions advanced at the Bar crystallize the controversy into precise compass of law. To ensure a just, equitable, and legally sound disposal of the instant revisional application, this Court frames the following core questions for determination:

Firstly, Whether the subsequent amicable settlement of matrimonial disputes and the formal dissolution of marriage by a decree of divorce

by mutual consent under Section 13-B of the Hindu Marriage Act, 1955, by a court of competent jurisdiction constitute a valid, sufficient, and legally sustainable ground for the invocation of this Court's inherent jurisdiction under Section 482 of the Code of Criminal Procedure, 1973, to quash criminal proceedings arising out of Section 498A of the Indian Penal Code?

Secondly, What is the legal consequence and evidentiary weight to be attached to a solemn undertaking given by a complainant spouse before a Family Court, specifically an agreement to withdraw pending criminal litigation upon the allowance of a mutual consent divorce, when that party subsequently reneges or refuses to cooperate in having the said criminal proceedings terminated?

Thirdly, Whether the continuation of the impugned criminal proceeding under Section 498A IPC where the parties have completely severed their marital bond, the complainant spouse has moved on with her life and started an independent family, and no public interest or heinous societal element remains, amounts to a clear abuse of the process of law, warranting immediate interference to secure the ends of justice?

- 11.** The first question formulated for determination strikes at the very root of the revisional invocation: *Whether the subsequent amicable settlement of matrimonial disputes and the formal dissolution of marriage by a decree of divorce by mutual consent under Section 13-B of the Hindu Marriage Act, 1955, by a court of competent jurisdiction constitute a valid, sufficient, and*

legally sustainable ground for the invocation of this Court's inherent jurisdiction under Section 482 of the Code of Criminal Procedure, 1973, to quash criminal proceedings arising out of Section 498A of the Indian Penal Code? To resolve this core issue, this Court must weave together the factual matrix, the statutory parameters, and the binding precedents governing the exercise of inherent powers post-matrimonial composition.

- 12.** Turning to the factual canvas, the records demonstrate that the marital tie between the petitioner, Sri Prince Bansal, and Opposite Party No. 2, Smt. Anamika Sarkar, has been permanently severed. The marriage solemnized on 19.07.2018 (court marriage) and 11.12.2019 (social rites) suffered an irretrievable breakdown, leading to physical separation in March 2020 and the institution of criminal proceedings under Section 498A IPC via Lake Town Police Station Case No. 200 of 2020. However, the trajectory of this litigation shifted fundamentally when both parties voluntarily approached the Ld. Principal Judge, Family Court (South-West District), Dwarka Courts, Delhi, seeking dissolution of their marriage by mutual consent. Through HMA Petition No. 1015/23 (subsequently numbered as HMA 1146/23) under Section 13-B of the Hindu Marriage Act, 1955, the parties recorded a complete, comprehensive, and unconditional settlement of all matrimonial claims, including past, present, and future maintenance, dowry, permanent alimony, and *stridhan* (duly detailed in Ex. PA and supported by joint statements). Acting upon these solemn filings, the Family Court allowed the First Motion on 29.03.2023, and subsequently—by waiving the statutory six-month cooling-off period in light of settled law—allowed the Second Motion, dissolving the marriage by a formal decree of mutual consent divorce on 18.04.2023.

- 13.** The legal framework governing the interface between matrimonial settlements and criminal quashing is anchored in Section 482 of the Code of Criminal Procedure, 1973 (corresponding to Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023). Section 482 preserves the inherent powers of the High Court to make such orders as may be necessary to give effect to any order under the Code, or to prevent abuse of the process of any court, or otherwise to secure the ends of justice. While an offence under Section 498A of the Indian Penal Code, 1860, is statutorily non-compoundable under Section 320 of the Cr.P.C., the Hon'ble Supreme Court of India has consistently held that the non-compoundable nature of an offence does not fetter or restrict the plenary and wide amplitude of the High Court's inherent jurisdiction under Section 482, when the broader ends of justice so require.
- 14.** The foundational exposition on this principle is found in the landmark judgment of the Apex Court in *B.S. Joshi (supra)*, wherein the Supreme Court addressed whether the bar under Section 320 Cr.P.C. limits Section 482 Cr.P.C. in matrimonial disputes. Answering in the negative, the Supreme Court held:

"The non-compoundable offence cannot be compounded by the court-permitted by the parties or by the court itself. However, that is entirely different from the exercise of inherent powers conferred by Section 482 of the Code. ... If for the purpose of securing the ends of justice, quashing of criminal proceedings becomes necessary, Section 482 would not be a bar to the exercise of inherent power in the appropriate cases, even if the offences are non-compoundable."

- 15.** The Court further emphasized that encouraging genuine settlements in matrimonial matters promotes peace and rehabilitation, observing:

"There is no doubt that the object of introducing Chapter XX-A containing Section 498-A in the Indian Penal Code was to prevent the torture of a woman by her husband or by his relatives. ... If a married woman prefers client satisfaction and settles all disputes amicably with the husband and his family members, the quashing of matrimonial criminal proceedings would be in the larger interest of justice."

- 16.** The parameters for exercising this inherent jurisdiction were further refined and crystallized by a Constitution Bench of the Supreme Court in *Gian Singh (supra)*. The Supreme Court elaborated upon the category of cases where criminal proceedings arising from commercial, financial, mercantile, civil, or matrimonial disputes can be quashed, laying down:

"The position is quite different when it comes to the matter of an offence arising from matrimonial discord, where the wrong is basically private or personal in nature and the parties have resolved their entire dispute. ... In such cases, the High Court may quash criminal proceedings if it is satisfied that the parties have amicably settled their disputes and the victim has no remaining grievance, and continuation of the criminal proceedings would be an abuse of the process of the court."

- 17.** Building upon these principles, the Supreme Court in *State of Madhya Pradesh v. Laxmi Narayan and Others*, [(2019) 5 SCC 688], provided structured guidelines for High Courts when exercising quashing jurisdiction under Section 482 in non-compoundable offences. The Court observed that while heinous and serious offences having societal impact cannot be quashed merely because parties have settled, offences arising

from matrimonial discord or commercial transactions, which have a predominantly civil flavor or stem from personal relationships, stand on a completely different footing. Where the High Court is convinced that the criminal proceedings are an offshoot of matrimonial fallout, that the parties have legally separated, and that the continuation of the prosecution will serve no useful purpose, the power under Section 482 must be exercised to bring a quietus to the litigation.

18. Applying these statutory principles and binding judicial precedents to the first question, it is indisputable that the criminal proceeding under Section 498A IPC is an offshoot of a matrimonial dispute that has now been fully extinguished by a competent court of law. The Family Court at Dwarka, Delhi, through its decrees dated 29.03.2023 and 18.04.2023, has legally dissolved the marriage. All financial settlements have been finalized, properties and *stridhan* exchanged, and Opposite Party No. 2 has moved on with her life. To hold that criminal proceedings must nevertheless continue in a distant court in West Bengal would be to ignore the reality of an irretrievably broken marriage and to reduce criminal law into an engine of oppression.

19. Therefore, answering Question No. 1 in the affirmative, this Court holds that a subsequent amicable settlement of matrimonial disputes, followed by the formal dissolution of marriage by a decree of mutual consent under Section 13-B of the Hindu Marriage Act, constitutes a valid, sufficient, and legally robust ground for the invocation of this Court's inherent jurisdiction under Section 482 of the Code of Criminal Procedure to quash criminal proceedings under Section 498A of the Indian Penal Code.

- 20.** The second question formulated for determination addresses the moral, legal, and evidentiary weight of a solemn assurance given before a court of law: *What is the legal consequence and evidentiary weight to be attached to a solemn undertaking given by a complainant spouse before a Family Court, specifically an agreement to withdraw pending criminal litigation upon the allowance of a mutual consent divorce, when that party subsequently reneges or refuses to cooperate in having the said criminal proceedings terminated?* To evaluate this aspect, this Court must examine the sanctity of judicial undertakings, the doctrine of estoppel in litigation, and the obligations incumbent upon parties who invoke matrimonial jurisdictions.
- 21.** Re-visiting the factual landscape, the records of the Ld. Principal Judge, Family Court (South-West District), Dwarka Courts, Delhi, in HMA Petition No. 1015/23 (subsequently HMA 1146/23) unequivocally reveal that Opposite Party No. 2 entered into a voluntary, conscious, and recorded settlement. In Paragraph 7 of the First Motion joint statement dated 29.03.2023 and Paragraph 8 of the Second Motion joint statement dated 18.04.2023, Opposite Party No. 2 explicitly affirmed that a criminal case under Section 498A IPC was pending before the Ld. ACJM, Bidhannagar, West Bengal, and formally undertook that she would withdraw the said proceeding right after the mutual consent divorce petition was allowed. Furthermore, she agreed that any pending matters would be treated as dismissed or withdrawn. It was upon the strength of this solemn undertaking, coupled with the mutual consent of the parties and the exchange of *stridhan* and permanent alimony settlements, that the Family Court exercised its discretion to dissolve the marriage by mutual consent and even waived the statutory six-month cooling-off period. However,

having reaped the ultimate benefit of the divorce decree, permitting her to move on, remarry, and start an independent family, Opposite Party No. 2 subsequently turned back on her word, refusing to appear or cooperate before the Bidhannagar Court to ensure the formal quashing of the criminal proceeding, thus entrapping the petitioner in a revengeful proceeding.

- 22.** Under the Indian legal system, an undertaking given to a court of law is not a mere formality or a hollow promise; it constitutes a solemn commitment carrying the full sanctity of judicial proceedings. When a party secures a substantive legal remedy—such as the dissolution of a marriage—by holding out an assurance to the court that they will perform a reciprocal act (such as withdrawing a criminal case), that party is bound by the doctrine of equitable estoppel and the binding nature of judicial records.
- 23.** The legal implications of flouting undertakings given to courts of law are rooted in the Contempt of Courts Act, 1971, where a breach of an undertaking given to a court is treated on par with a breach of an injunction, amounting to civil contempt. While criminal quashing under Section 482 of the Cr.P.C. is an equitable remedy, the conduct of the parties forms a critical touchstone. The Hon'ble Supreme Court in *Shlok Bharadwaj (supra)* has held that once the matter between the parties was settled, and such terms of settlement were given effect to in the form of divorce by mutual consent, no further dispute survives between the parties. The Hon'ble Supreme Court in *Laxmi Narayan (supra)* underscored that when evaluating whether criminal proceedings should be quashed pursuant to a settlement, the High Court must examine the antecedent conduct of the parties, the terms of the settlement, and whether one party has acted in bad faith or sought to exploit the judicial mechanism.

- 24.** Furthermore, in *Ruchi Agarwal v. Amit Kumar Agrawal* [(2005) 3 SCC 299], the Supreme Court faced a strikingly similar factual matrix where a wife had agreed to withdraw criminal proceedings under Section 498A IPC as part of a mutual consent divorce settlement but later refused to cooperate and pursued the criminal trial. The Supreme Court firmly deprecated such conduct, holding that once parties settle their disputes, receive permanent alimony or the benefit of a divorce decree, on the undertaking to withdraw pending cases, it is manifestly unjust and an abuse of the process of the court to allow the criminal proceedings to continue merely because one party chooses to resile from their undertaking. The Apex Court ruled that continuation of criminal proceedings under such circumstances is an abuse of process and liable to be quashed under Section 482 Cr.P.C. The decision of the Hon'ble Supreme Court in *Reji Baby (supra)* relied on by the opposite party no. 2, is not relevant for the purpose of determining the questions arising in the application.
- 25.** Applying these principles to the second question, this Court holds that a solemn undertaking given before a Family Court to withdraw pending criminal litigation is binding in equity and law. A party cannot approbate and reprobate—they cannot accept the absolute benefit of a mutual consent divorce decree while repudiating the corresponding obligation to withdraw the criminal case. The refusal of Opposite Party No. 2 to abide by her undertaking cannot prejudice the petitioner or keep a dead criminal prosecution alive. The court views such a breach as a strong indicator that the continuation of the criminal proceeding is tainted with mala fides and constitutes an abuse of the judicial process, thereby compelling this Court's intervention under Section 482 of the Cr.P.C. to secure the ends of justice.

- 26.** The third and final question formulated for determination brings us to the core objective of the inherent jurisdiction vested in this Court: *Whether the continuation of the impugned criminal proceeding under Section 498A IPC where the parties have completely severed their marital bond, the complainant spouse has moved on with her life and started an independent family, and no public interest or heinous societal element remains, amounts to a clear abuse of the process of law, warranting immediate interference to secure the ends of justice?* To resolve this issue, this Court must examine the conceptual contours of "abuse of the process of any court," the societal dimensions of matrimonial prosecutions, and the imperative duty of the High Court to prevent vexatious litigation.
- 27.** Re-engaging with the factual matrix of the present case, the narrative leaves no room for speculation. The marriage between the petitioner, Sri Prince Bansal, and Opposite Party No. 2, Smt. Anamika Sarkar, which began in July 2018 and December 2019, fractured irretrievably within months, leading to actual physical separation in March 2020. The criminal machinery was set in motion via Lake Town Police Station Case No. 200 of 2020 under Section 498A IPC, culminating in a charge sheet. However, the subsequent trajectory completely alters the complexion of the dispute: the parties have legally and formally dissolved their marriage by mutual consent under Section 13-B of the Hindu Marriage Act, 1955, vide decrees of the Dwarka Family Court dated 29.03.2023 and 18.04.2023. More importantly, the records and pleadings demonstrate that Opposite Party No. 2 has completely moved on with her life, has remarried, and is peacefully raising a family. Conversely, the petitioner remains tethered to a dormant, burdensome criminal trial pending before the Ld. Additional Chief

Metropolitan Magistrate, Bidhannagar, suffering the continuous agony of prosecution without any surviving marital substratum.

- 28.** The expression "abuse of the process of any court" though is not capable of a rigid or exhaustive definition; however, it has been judicially interpreted to encompass situations where a criminal proceeding is utilized for harassment, where the continuation of a trial serves no useful purpose, or where the foundational basis of the prosecution has evaporated. Section 482 of the Code of Criminal Procedure, 1973 (corresponding to Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023), specifically preserves the inherent powers of the High Court to prevent such abuse and to secure the ends of justice.
- 29.** The landmark exposition on preventing abuse of process in matrimonial litigation is found in the celebrated decision of the Supreme Court in *Preeti Gupta v. State of Jharkhand*, [(2010) 7 SCC 667], wherein the Apex Court underscored the stark realities of exaggerated and lingering matrimonial prosecutions, observing:

"It is a matter of common experience that most of the complaints under Section 498-A IPC are filed in the heat of the moment over trivial issues without proper deliberations. We cannot lose sight of the fact that in matrimonial disputes, a large number of family members are implicated... It is a matter of common knowledge that exaggerated versions of incidents are often reflected in complaints... When the facts clearly demonstrate that the continuation of criminal proceedings would be an abuse of the process of law, the High Court must exercise its inherent powers under Section 482 to quash the same."

- 30.** This principle was further reinforced in *Gian Singh (supra)*, where the Supreme Court observed that criminal trials arising from matrimonial disputes, where parties have settled and moved on, lose their social utility. To keep a criminal trial alive when the primary complainant has dissolved the marriage, started a new family, and severed all ties is not an enforcement of criminal justice, but rather an oppressive exercise in futility that constitutes a patent abuse of the judicial process.
- 31.** Applying these settled legal principles to the third question, the conclusion is inescapable. The continuation of General Register Case No. 815 of 2020 (arising out of Lake Town Police Station Case No. 200 of 2020) against the petitioner serves no public interest, advances no societal objective, and punishes an individual whose marriage has already been dissolved by a court of competent jurisdiction with the full consent of the complainant. To compel the petitioner to continue facing the agony, stigma, and travails of a criminal trial under Section 498A IPC under these circumstances is a gross and manifest abuse of the process of law. Therefore, answering Question No. 3 in the affirmative, this Court holds that the impugned criminal proceeding is liable to be quashed in its entirety to secure the ends of justice.
- 32.** The synthesis of the factual matrix, the statutory parameters, and the well-settled judicial precedents leads this Court to an inescapable and definitive conclusion. The criminal proceeding initiated against the petitioner under Section 498A of the Indian Penal Code originated from a matrimonial alliance that has since suffered complete dissolution through a decree of mutual consent divorce passed by a court of competent jurisdiction under Section 13-B of the Hindu Marriage Act, 1955. All financial claims, dowry

demands, permanent alimony, and *stridhan* issues stand comprehensively settled, and the opposite party has formally acknowledged the receipt of her dues and relocated with an independent life and family.

- 33.** To permit the continuation of General Register Case No. 815 of 2020 arising out of Lake Town Police Station Case No. 200 of 2020 under Section 498A IPC, currently pending before the Learned Additional Chief Metropolitan Magistrate, Bidhannagar Court, North 24 Parganas, would be an exercise in futility. The primary complainant having walked out of the marriage, obtained a valid decree of divorce, and subsequently resiled from her solemn undertaking given before the Dwarka Family Court to withdraw the criminal proceedings, leaves no shadow of a doubt that the further prosecution of the petitioner operates solely as an instrument of harassment. It constitutes a patent and manifest abuse of the process of law, demanding the immediate invocation of this Court's inherent powers under Section 482 of the Code of Criminal Procedure, 1973 (corresponding to Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023) to secure the ends of justice.
- 34.** Accordingly, the criminal revisional application being **C.R.R. 2063 of 2024** is allowed.
- 35.** The impugned criminal proceeding being General Register Case No. 815 of 2020 arising out of Lake Town Police Station Case No. 200 of 2020 dated 17.11.2020 under Section 498A of the Indian Penal Code, 1860, along with the charge sheet No. 14/2021 dated 31.01.2021, currently pending disposal before the Learned Additional Chief Metropolitan Magistrate, Bidhannagar Court, North 24 Parganas, and all consequential proceedings emanating therefrom, are hereby quashed and set aside.

- 36.** Interim stay, if any, stands vacated.
- 37.** Let a copy of this judgment be transmitted down immediately to the Learned Additional Chief Metropolitan Magistrate, Bidhannagar Court, North 24 Parganas, as well as to the Officer-in-Charge, Lake Town Police Station, for necessary compliance and record.
- 38.** There shall be no order as to costs.
- 39.** Case diary, be returned to the Learned Counsel for the State.
- 40.** Urgent photostat certified copy of this judgment, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Uday Kumar, J.)