

**HIGH COURT OF TRIPURA
AGARTALA
CRL. PETN. NO.33 OF 2024**

Dr.(Major) Mahabur Rahaman and ors.
Vs.
The State of Tripura.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

Present:

For the Petitioner(s) : Ms. P. Chakraborty, Advocate.
For the Respondent(s) : Mr. S. Ghosh, Addl. P.P.

02.09.2024

Order

This petition has been filed under Section 482 of the Code of Criminal Procedure 1973, for quashing of FIR in connection with P.S. Case No.2021/WAG/007 under Sections 153A(1)(a)(b)/505(2)/325/506/34 of the Indian Penal Code and corresponding to P.R.C.(WP)266 of 2021 and FIR in connection with P.S. Case No.2021/WAG/008 under Sections 325/307/382(B) 506/34 corresponding to PRC(SP)198 of 2022 pending in the Court of learned JM 1st Class,(Court No.8), West Tripura, Agartala in terms of the mutual compromise agreement between the parties i.e. among the petitioners.

2. Heard Ms. P. Chakraborty, learned counsel appearing for the petitioners as well as Mr. S. Ghosh, learned Addl. P.P., appearing for the State-respondent.

3. It is submitted by learned counsel appearing for the petitioners that her clients have mutually settled the matter out of the Court by entering into a Compromise Agreement,

wherein, it has been expressed that they have no grievance against each other and intended not to proceed further with the cases.

The condition of the said Compromise Agreement dated 27th August 2024 is as under:-

"A. That, on 13/01/2021, the 1st Party lodged an FIR against the 2nd party namely Sri Rupchan Sarkar & Sushanta Modak which was registered as case vide no. 2021 WAG 007 against 2nd party under section 153A(1)(a)(b)/505(2)/325/506/34 of Indian Penal Code and subsequently the said case has been re numbered as P.R.C (WP) 266/2021 and pending for trial in the court of Ld. JM 1 Class, (Court No. 7), West Tripura, Agartala.

B. That subsequently on 14/01/2021, 2ND Party namely Sri Rupchan Sarkar has registered FIR no. 2021 WAG 008 against 1st party namely Dr. Mahabur Rahaman at West Agartala P.S vide case no. 2021/WAG/008 vide P.R.C(SP) 198/2022, U/S-1874 325/307/382(B)/506/34 OF IPC accordingly investigation was started.

C. That, thereafter both the parties have approached each other through a mediator and expressed that they want to move on in their life and in order to bring quietus to all the disputes between them and that they want to mutually bring an end to all the legal cases pending before various courts between the parties. Therefore, the parties have by their free will and consent mutually resolved their disputes and differences forming subject matter of the said FIR's and have reached full and final agreement amongst themselves.

D. That, both the parties have mutually agreed that they have no grievances against each other and therefore not to continue further proceeding of the case pending in various courts against each other.

E. That, it is hereby mutually agreed by the parties since they have not wanted to continue the further proceeding of the case they will approach before the competent forum to put an end all the legal cases pending in different courts for the interest of justice. In this regard the 1" party will take initiative to take all necessary legal formalities to full and final settlement and the 2nd party will co operate the 1" party in all respect.

F. That it is further agreed between the parties that they would abide by the terms and conditions of this agreement and further assured to each other that they would maintain peace and harmony and brotherhood amongst each other."

4. On the query of the Court, Learned Addl. P.P., appearing for the State-respondent has not expressed any objection to the same.

5. As such, in terms of the Compromise Agreement between the parties, i.e., the petitioners herein, this present petition is allowed and thus disposed of. Accordingly, both the impugned FIRs are quashed.

6. As a sequel, stay if any stands vacated. Pending application(s), if any also stands closed.

JUDGE

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