

08.10.2021

Item No.15
Ct.No.34
dc.

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

**C.R.R. 2559 of 2017
with
CRAN 5 of 2021
(Via Video Conference)**

**Mira Sarkar & Ors.
versus
The State of West Bengal & Ors.**

In Re: An Application under Section 482 of the Code of Criminal Procedure, 1973.

Mr. Nabankur Paul ... For the Petitioners.

Mr. S. G. Mukherjee, Ld. P.P.,
Ms. Faria Hossain ... For the State.

Ms. Nabanita Dutta,
Mr. Suraj Bhattacharjee ... For the Opposite Party No.2.

Mr. Soumyajit Mishra ... For the Opposite Party No.3.

Report dated 04.10.2021 submitted by Inspector-in-Charge, Siliguri Police Station through the learned Public Prosecutor, High Court, Calcutta be kept with the record.

The said report reflects that statement of the *de facto* complainant, viz. Mousumi Acharya, has been recorded wherein she had stated before the Investigating Officer that there has been a compromise effected between the parties in respect of C.R. Case No. 227 of 2017 and she is not interested in pursuing the criminal case as also the revisional application.

Having regard to the nature of allegation under Sections 420/34 of the Indian Penal Code which is private and personal in nature and the society at large has no impact

on such allegation or such case and taking into account the statement of the *de facto* complainant, I am of the view that further proceedings of complaint case being C.R. Case No. 227 of 2017 under Sections 420/34 of the Indian Penal Code pending before the learned Judicial Magistrate, 1st Court at Siliguri, Darjeeling are unwarranted. As such, the said proceedings are hereby quashed.

Accordingly, the prayer advanced in application being CRAN 5 of 2021 along with CRR 2559 of 2017 is allowed.

Pending other application, if any, is consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)