

Court No.
39
Item 4
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26.08.
2022

C.R.R. 368 of 2020
IA No: CRAN 1 of 2022
CRAN 2 of 2022

In the matter of:- **Rajib Chanda**

Mr. Rajdeep Mazumder
Mr. Pritam Roy
...for the petitioner
Mr. Abhijit Chowdhury
...for the opposite party
Mr. Saswata Gopal Mukherji, Ld. PP
Mr. Arijit Ganguly
Mr. S. K. Dan
...for the State

This is an application praying for quashing of a proceeding in G. R. Case No. 14 of 2020 pending before the learned Chief Judicial Magistrate at Sealdah corresponding to Entally Police Station Case No.01 of 2020 dated 01.01.2020.

A report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the accused petitioner submits that during pendency of the proceeding, a settlement and compromise has been arrived at between the private parties of all disputes that had led to the initiation of the impugned proceeding. In fact, the private parties have decided to go ahead with the development project.

Learned counsel appearing on behalf of the defacto-

complainant/opposite party submits that a compromise and settlement has indeed been arrived at between the accused petitioner and the victim/defacto-complainant of all disputes that had led to the registration of the First Information Report. The private parties have decided to continue with the development project.

Learned Public Prosecutor representing the State relies on an inquiry report which contains a further statement of the victim/defacto-complainant recorded by the Investigating Officer on 25.08.2022 and submits as follows. The dispute is substantially private-in-nature. The State would not come in the way if a settlement is arrived at between the private parties.

I have heard the submissions of the learned counsels appearing on behalf of the parties and have perused the revision petition and the case diary and the latest statement of the victim/defacto-complainant.

It appears that the dispute is a private one and is civil in nature. It also appears that a compromise and settlement has been arrived at between the private parties of all disputes that had led to the initiation of the impugned proceeding.

In view of the above, I quash the impugned proceeding on the ground of compromise arrived at between the accused and the victim de-facto complainant.

The personal appearances of the Investigating

Officer and the defacto-complainant are dispensed with.

C.R.R. 368 of 2020 is disposed of.

In view of the disposal of the revisional application, CRAN 1 of 2022 and CRAN 2 of 2022 also stand disposed of.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)