

17.02. 2022
item No.52
n.b.
ct. no. 34

(via video conference)
CRR 747 of 2020
With
IA No. CRAN 1 of 2020 (Old No. CRAN 964 of 2020)

Soumya Kanti Das & Anr.
Vs.
The State of West Bengal & Anr.

Mr. Manas Kumar Das
.....for petitioners
Md. Anwar Hossain
Ms. Sreyashee Biswas
... for the State
Mr. Subir Ganguly
Mr. Sumanta Ganguly
.....For the O.P. No.2

Pursuant to the earlier direction of this Court, the Investigating Officer of the case is present in Court. His further appearance before this Court stands dispensed with.

Report submitted by Mr. Anwar Hossain, learned advocate for the State be kept with the record.

The report reflects that the de facto complainant is not interested to pursue with the litigation as he has amicably settled the dispute and compromised the same with the present petitioners. In fact the statement recorded by the Investigating Officer as also the letter addressed by the de facto complainant to the Investigating Officer which has been enclosed along with the report reflects the same.

Having regard to the contentions advanced in the joint compromise petition filed before this Court by the petitioners as well as the de facto complainant and taking into account the report alongwith enclosures (statement recorded by the Investigating Officer as also the communication made to the Investigating Agency both dated 16.02.2022), I am of the opinion that as the offence is private and personal in nature and do not involve any public policy, the further continuance of Chinsurah P.S. Case No.181/2009 dated 11.07.2019 being G. R. No.984 of 2019 pending before the Court of Learned Chief Judicial Magistrate, Hooghly is unwarranted. Accordingly, all further proceeding including the order passed therein by the Learned Magistrate is hereby quashed.

Thus, CRR 747 of 2020 is allowed.

The joint compromise application being, IA No. CRAN 1 of 2020 (Old No. CRAN 964 of 2020) is allowed.

Pending connected application, if any is 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.)