

Form J(2)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

**CRR 937 of 2022
With
CRAN 1 of 2022**

**Ranjit Kumar Das and Anr.
Vs.
The State of West Bengal & Ors.**

For the petitioners: Mr. Sandipan Ganguly, Sr. Adv.
Ms. Manaswita Mukherjee

For the State: Mr. Saswata Gopal Mukherjee, Ld. P.P.
Ms. Debjani Sahu

For the O.P. No.2 & 3: Mr. Apalak Basu

Item No.03.

Heard & Judgment on: 30.06.2022

Bibek Chaudhuri, J.

The parties have settled their dispute out of Court amicably and a joint petition for compromise has been filed by

them. It appears from the record that in connection with New Town Police Station Case No.503 of 2017, charge sheet has been submitted against the petitioners under Sections 323/326/427/341/120B/506/34 of the Indian Penal Code. It appears from the charge sheet that except the allegation under Section 326 of the Indian Penal Code all other alleged offences are compoundable in nature. It is also learnt that the trial Court has already framed charge against the petitioners under Section 326 of the Indian Penal Code.

On perusal of the materials on record as well as the case diary, it appears that the husband of the de facto complainant was assaulted by the petitioner No.1 with the help of 'sandals' (chappal). He fell down on the ground and received injury on his wrist. At the time of medical treatment it is found that his wrist was fractured. It is found from the case itself that fracture injury received by the husband of the de facto complainant does not come within the meaning of grievous hurt under Section 320 of the Indian Penal Code. Therefore, no charge under Section 326 of the Indian Penal Code can be framed against the accused persons. Since all other offences are bailable in nature and the dispute has been settled amicably, G.R. Case No.3462 of 2017

under Sections 323/326/427/341/120B/506/34 of the Indian Penal Code pending before the learned Judicial Magistrate, First Court, Barasat, North 24 Parganas arising out of New Town Police Station Case No.503 of 2017 dated 21st October, 2017 be quashed on compromise.

The joint compromise petition be made part of this order.

The instant application is, thus, disposed of.

(Bibek Chaudhuri, J.)