

01.04.2022

Item No.2
Ct.No.34
dc.

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

**C.R.R. 649 of 2019
with
CRAN 1 of 2019 (Old No. CRAN 833 of 2019)**

**Mahakal Oraon @ Mohakal Oraon & Ors.
versus
The State of West Bengal & Anr.**

In Re: An Application under Section 401 read with Section 482 of the Code of Criminal Procedure, 1973 filed in connection with Birpara Police Station Case No. 52 of 2017 dated 06.05.2017 under Sections 448/506/436/34 of the Indian Penal Code.

Mr. Arnab Saha ... For the Petitioners.

Mr. Narayan Prasad Agarwala,
Mr. Pratick Bose ... For the State.

Mr. Pawan Kumar Gupta ... For the Opposite Party No.2.

Photostat copy of the report dated 22.03.2022 submitted by Mr. Pratick Bose, learned advocate appearing for the State be kept on record.

The present case was initiated for setting ablaze the properties of the *de facto* complainant on fire and on completion of investigation, charge-sheet was submitted under Sections 448/506/436/34 of the Indian Penal Code.

During the pendency of this revisional application, a joint compromise application was filed by the accused petitioners along with the *de facto* complainant of the case being one Ramesh Oraon who has been cited as CSW-1 in the charge-sheet.

In view of the nature of the allegations, I am of the opinion that the joint compromise petition cannot be

considered as the case involves a larger interest of the society. Accordingly, the application being CRAN 1 of 2019 (Old No. CRAN 833 of 2019) is dismissed.

However, the petitioners would be at liberty to approach this Court after the evidence of CSW-1 viz. Ramesh Oraon is recorded by the learned trial court.

With the aforesaid observations, the revisional application being CRR 649 of 2019 is disposed of.

Interim order, if any, is hereby vacated.

All pending connected applications, if any, are consequently disposed of.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)