

13.06.2022

Item No.7
Ct.No.34
dc.

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

**C.R.R. 1622 of 2022
with
CRAN 1 of 2022**

**Biman Saha
versus
The State of West Bengal & Anr.**

In Re: An Application under Section 482 read with Section 401 of the Code of Criminal Procedure, 1973 filed for quashing of the proceedings in connection with ACGR No. 3813 of 2021 arising out of Behala Police Station Case No. 274 of 2021 dated 27.09.2021 under Sections 341/323 of the Indian Penal Code pending before learned Additional Chief Judicial Magistrate, Alipore.

Ms. Sanjana Saha ... For the Petitioner.

Mr. S. G. Mukherjee, Ld. P.P.,
Mr. Swapan Banerjee,
Mr. Sumanta Ganguly ... For the State.

Mr. Subir Ganguly,
Mr. Durga Prasad Dutta,
Mr. Sumanta Ganguly ... For the Opposite Party No.2.

The present revisional application has been preferred challenging the proceedings relating to Behala Police Station Case No. 274 of 2021 dated 27.09.2021 under Sections 341/323 of the Indian Penal Code. It has been informed that charge-sheet has already been submitted.

Mr. Mukherjee, learned Public Prosecutor has submitted a report prepared by an Officer of Behala Police Station after enclosing the statements of Sujit Saha (opposite party no.2 herein), Sourav Das and Barun Naskar who are the complainant and affected parties in the present case. The statements reflect that they are not interested to pursue with this criminal case as an amicable settlement has been arrived

at between the petitioner and the affected parties as well as the complainant.

Let the said report dated 09.06.2022 so submitted be kept on record.

Having regard to the fact that the dispute is private and personal in nature and as there is no public policy involved, I am of the opinion that further continuance of the proceedings would cause miscarriage of justice. Accordingly, further continuance of the proceedings in connection with ACGR No. 3813 of 2021 arising out of Behala Police Station Case No. 274 of 2021 dated 27.09.2021 under Sections 341/323 of the Indian Penal Code and the charge-sheet submitted in connection with the instant case are hereby quashed.

Accordingly, the revisional application being CRR 1622 of 2022 along with CRAN 1 of 2022 is hereby allowed.

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.)