

Form J(1)

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

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

CRR 2103 of 2022

**Samrat Pal @ Samrat Paul
Vs.
The State of West Bengal & Anr.**

Mr. Atis Kumar Biswas
Mr. Jyoti Agarwal
...for the petitioner

Mr. Partha Sarkar
...for the de facto complainant

Mr. Madhusudan Sur, APP
Mr. Dipankar Paramanick
...for the State

Item No.82

Heard & Judgment on: 17.08.2022

Bibek Chaudhuri, J.

Having heard the learned advocates for the petitioner, the de facto complainant and the learned P.P.-in-charge and on careful perusal of the order dated 4th September, 2021 and 7th October, 2021, I do not find any illegality or impropriety in the order impugned. Therefore, I do not find any scope to interfere with the impugned order in the instant revision. However, considering the fact that over and above administrative decision taken by the State Government for withdrawal from prosecution against the accused persons, it is ascertained from the record that the dispute between the parties has been amicably settled. Therefore, while considering an application under Section 321 of the Code of Criminal Procedure the de facto complainant stated on oath during cross-examination that she has no allegation at present against the petitioner. Considering such aspect of the matter, the learned Magistrate is requested to examine all charge sheeted witnesses by 30th September, 2022.

It is expected that on conclusion of recording evidence on behalf of the prosecution, the accused persons will be examined under Sections 313 of the Code of Criminal Procedure and the

learned trial Court shall proceed with hearing argument and delivery of judgment before Puja vacation.

With the above direction, the instant revision is disposed of.

(Bibek Chaudhuri, J.)