

14.6.2022
Court No.29
Sl. No. 6
SD

CRR 2483 of 2019
With
CRAN 1 of 2021

In the matter of: Asish Kumar Sarkar @ Ashish Kumar Sarkar
.....petitioner.
Mr. Debanshu Ghorai
...for the Petitioner.
Mr. Imran Ali
Ms. Debjani Sahu
... for the State.
Mr. Koustav Bagchi
Mr. Debayan Ghosh
Ms. Priti Kar
... for the Opposite Party No.2.

The present revisional application has been preferred for quashing the proceedings as well as the order dated February 22, 2019 passed by the learned Judicial Magistrate, Bidhannagar, North 24-Parganas rejecting thereby the prayer for discharge of the petitioner and the consequential order dated May 17, 2019 correcting the name of the party in the previous order dated February 22, 2019 in connection with G.R. No.1057 of 2016 arising out of Electronics Complex Police Station Case No. 160 of 2016 dated November 29, 2016 under Section 420/406/120B of the Indian Penal Code.

Both the petitioner and the opposite party no.2 filed a compromise petition being CRAN 1 of 2021 wherein they have stated that applicant no.2 has got their respective dues and have more or less received the items in question, that is, Set Top Boxes in question and the dispute and discord by and between the petitioner and the opposite party no.2 have been resolved amicably and compromise has arrived at by and between the parties. As a result thereof, both the parties have resolved their differences and

they have no further claim against each other and both of them signed the compromise petition and accordingly, both of them have prayed for quashing the present proceeding.

Ms. Debjani Sahu, learned counsel for the State submits that State has nothing to say about the amicable settlement that have been arrived at by and between the parties.

Having regard to the facts and circumstances of the case and that the parties had amicably settled their disputes and that there is no chance of conviction in view of the amicable settlement arrived at by and between the parties and also considering the fate of the trial, I find that this is a fit case wherein invoking the power under Section 482 of the Code of Criminal Procedure the proceeding is required to be quashed.

Accordingly, G.R. No. 1057 of 2016 arising out of Electronic Complex Police Station Case No.160 of 2016 dated 29.11.2016 under Sections 420/406/120B of the Indian Penal Code, 1860, pending before the learned Judicial Magistrate, Bidhannagar, North 24-Parganas is hereby quashed.

CRAN 1 of 2021 is also disposed of accordingly.

(Ajoy Kumar Mukherjee, J.)