

D/L 27
January 14,
2022
Bpg.

C.R.R. No.1496 of 2020
With
CRAN 1 of 2021
(Via Video Conference)

In Re: An application under Section 482 of the Code of Criminal Procedure, 1973 filed in connection with Narendrapur Police Station Case No.523 of 2019 dated 15.04.2019 (G.R. Case No.2915 of 2019) under Sections 420/406/120B of the Indian Penal Code, 1860;

Minati Nandy
Versus
The State of West Bengal & Anr.

Mr. Anand Keshari,
Mr. Sekhar Mukherjee.
...for the petitioner.

Mr. Saswata Gopal Mukherjee, Ld. P.P.,
Mr. Arijit Ganguly,
Ms. Manisha Sharma.
...for the State.

Mr. Manjit Singh,
Mr. G. Singh,
Mr. Biswajit Mal.
...for the opposite party no.2.

Mr. Saswata Gopal Mukherjee, learned Public Prosecutor, appears on behalf of the State and submits a report furnished by Inspector-in-Charge, Narendrapur Police Station wherein the statement of Dipankar Das Pattanayak has been enclosed. Let the report along with the statement be kept with the record.

The contents of the said statement reflect that the subject-matter of dispute arose for a sum of Rs.47,079.50/-.

The dispute primarily is between the Apartment Owners' and Residents' Association with one of its members. The report and the statement so submitted before this Court reflect that the amount has been paid and, as such, the present Secretary of the Association of Nirala Apartment Owners' & Residents' Association do not intend to proceed with the case.

Having regard to the subject-matter so involved and the nature of the allegations, I am of the opinion that they relate to private and personal dispute and no public policy is involved. A joint compromise petition so filed also reflects that there has been an amicable settlement between the parties. In view of the changed circumstances, I find that the chances of conviction against the petitioner is bleak.

Accordingly, all further proceedings arising out of Narendrapur Police Station Case No.523 of 2019 dated 15.04.2019 (G.R. Case No.2915 of 2019) under Sections 420/406/120B of the Indian Penal Code, 1860 including the charge-sheet filed therein and the orders passed by the Additional Chief Judicial Magistrate, Baruipur, South 24 Parganas, be quashed.

Thus, CRR 1496 of 2020 along with CRAN 1 of 2021 is allowed.

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

(Tirthankar Ghosh, J.)

