

Form J(1)

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side

Present :
The Hon'ble Justice Bibek Chaudhuri

IA No: CRAN/1/2023

In

C.R.R. 190 of 2023

Md Sohrab

Vs.

The State of West Bengal & Anr.

For the petitioner : Mr. Pawan Kumar Gupta, Adv.
Mr. Amitava Ray, Adv
Ms. Sofia Nesar, Adv.
Mr. Santanu Sett, Adv.

For the O.P.No.2 : Mr. Anurag Bagaria, Adv.
Mr. Vijay Verma, Adv.

For the State : Mr. Imran Ali, Adv.
Ms. Debjani Sahu, Adv.

Heard on : 03.04.2023.

Judgment On : 03.04.2023.

Bibek Chaudhuri, J.

Jorasanko Police Station Case No.281 dated 26th October, 2019 was registered against the petitioner under Sections 120B/288/420/406/468/471/471A of the Indian Penal Code. The said case is pending before the learned Additional Chief Metropolitan Magistrate, Calcutta. The accused / petitioner approached this Court

by filing the instant revision to quash the above-mentioned proceeding pending in the Trial Court.

During the pendency of the instant revision, the parties have settled the dispute amicably out of Court. A joint petition for compromise has been filed. On the last occasion the learned Public Prosecutor-in-Charge was requested to direct the concerned police officer to record the statement of the de-facto complainant to ascertain as to whether such compromise has been made voluntarily and willingly by the de-facto complainant without any threat, fear or undue influence. The Investigating Officer has submitted a report along with statement of the de-facto complainant.

It appears from the record that the de-facto complainant amicably has settled the dispute with the accused/petitioner. The allegation made in the complaint is absolutely private in nature.

Therefore, relying on the principles laid down by the Hon'ble Supreme Court in Parbatbhai Aahir's case, this Court accept the settlement under Section 482 of the Code of Criminal Procedure.

In view of such circumstances, further proceeding in connection with Jorasanko Police Station Case No.281 dated 26th October, 2019 against the petitioner be quashed.

The learned Additional Chief Metropolitan Magistrate, Calcutta is directed to pass necessary order discharging the accused from the case.

The revisional application along with connected application are disposed of accordingly.

(Bibek Chaudhuri, J.)

***Mithun De/
A.R. (Ct).
SI No.05.
D/L.***