

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
CRR 1295 of 2023**

**Aman Kumar
Vs.
The State of West Bengal & Anr.**

For the petitioner : Mr. Soumya Basu Roy Chowdhuri.

**For the State : Mr. Ranabir Roy Chowdhury,
Mr. Sandip Chakraborty.**

**For the opposite
Party no. 2 : Mr. Sarbananda Sanyal.**

Judgement on : 20.04.2023.

Bibek Chaudhuri, J.

In the instant revision both the parties have filed a joint petition for compromise and consequent order of quashing of New Town Police Station Case No. 274/2022 dated 23rd November, 2022 under Sections 406/420/447/468/471/506/120B of the Indian Penal Code. I have perused the petition for compromise. The parties have agreed in view of the amicable settlement reached by the concerned parties the applicant had willfully and voluntarily, wherein the applicant/the petitioner herein made an agreement with the opposite party no. 2 that the total consideration amount will be 65 lakhs and out of which

opposite party no. 2 already received 8.5 lakhs, further Ravi Kumar (authorized agent of the petitioner) will pay an amount of Rs.3.25 lakh (5% of the total consideration) by way of cheque in favour of Bijoy Bhakat (opposite party no. 2), the said amount will be adjusted from the total consideration of the petitioner and the purchaser who will entered into a fresh agreement in respect of the transfer of the said flat on 'as is where is basis' and also file the joint compromise petition in connection with the quashing petitioner to be filed before the Hon'ble High Court at Calcutta for quashing the New Town Police Station FIR No. 272/2022 dated 23.11.2022 under Sections 406/420/467/468/471/506/120B of the Indian Penal Code and thereafter that both the parties will be entered into the final sale agreement in respect of the said flat and the rest of the consideration amounting to 56.5 lakh will be paid by Ravi Kumar (authorized agent of the petitioner) to Bijoy Bhakat (Opposite party no. 2) at the time of signing the sale agreement by Commission work or through any suitable person at Kolkata at the cost of the petitioner.

The above terms and conditions are lawful and hence accepted. Moreover, the *de facto* complainant has been examined by the Investigating Officer of this case. He clearly stated that the compromise has been arrived at in terms of the statement recorded in paragraph 6 of the compromise petition.

In view of such statement made by the *de facto* complainant the Court accepts the joint compromise petition. The application for settlement of the dispute is allowed.

In view of the above order, New Town Police Station Case No. 274/2022 dated 23rd November, 2022 under Sections 406/420/467/468/471/506/120B of the Indian Penal Code presently

pending before the learned Chief Judicial Magistrate at Barasat be quashed.

(Bibek Chaudhuri, J.)

Srimanta, A.R.(Ct.)
Item No. 13.