

12.09.2023
Item No.20
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 1760 of 2023

In the matter of : **Chirag Modi** ... Petitioner.

Mr. Biswanath Chatterjee,
Mr. Sobhan Kumar Pathak ... For the Petitioner.

Mr. Arijit Ganguly,
Ms. Sujata Das ... For the State.

Mr. Chatterjee, learned advocate appearing for the petitioner has earlier contended that there has been amicable settlement between the petitioner and the opposite party no.2 and as such, the proceedings arising out of Karaya Police Station Case No. 329 of 2021 (CGR No. 3535/2021) under Sections 120B/341/506/114/379 of the Indian Penal Code along with Section 27 of the Arms Act be quashed.

A report was called for. Report dated 08.09.2023 submitted by Mr. Arijit Ganguly, learned advocate appearing for the State be kept on record.

The statement of the opposite party no.2 was recorded which reflects that she is not interested in pursuing the present case arising out of Karaya Police Station Case No. 329 of 2021. However, the said report also incorporates that the police authorities have also filed a report under Section 173 of the Code of Criminal Procedure contending "Mistake of Fact" with prayer for discharge against the accused persons.

Having regard to the changed circumstances which is the outcome of the investigation as well as the statement and declaration which are enclosed with the report, I am of the

opinion that further continuance of Karaya Police Station Case No. 329 of 2021 (CGR No. 3535/2021) pending before the learned Chief Judicial Magistrate, Alipore is unwarranted and as such, the same is hereby quashed.

Accordingly, the revisional application being CRR 1760 of 2023 is allowed.

Pending connected application, if any, is consequently disposed of.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)