

Form J(1)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

**CRR 2091 of 2022
With
CRAN 1 of 2022**

**Anando Kumar Saha and Another
Vs.
The State of West Bengal and Anr.**

Mr. Niladri Sekhar Ghosh
Ms. S. Chatterjee
Mr. Sourav Mondal
..for the petitioners

Mr. Kunal Ganguly
Ms. Sanchari Chakraborty
..for the opposite party

Mr. Swapan Banerjee
Mr. Anindya Sundar Chatterjee
..for the State

Item No. 02

Heard & Judgment on: 10.05.2023

Bibek Chaudhuri, J.

The petitioners are the accused persons in G.R. Case No. 723 of 2020 registered on the basis of a complaint filed by the opposite party No.2 /de facto complainant. On the basis of the said complaint Arambagh P.S. Case No. 275 of 2020 dated 19th July, 2020 under Sections 186/188/332/353/427/323/341/34 of the Indian Penal Code and Sections 57/54 of the Disaster Management Act was registered. During the pendency of the said case the instant revision was filed for quashing of the above mentioned criminal proceeding. During pendency of the instant revision parties have arrived at a joint compromise. A report was sought for from the Investigating Officer or the Officer-in-charge of the concerned P.S. to inform the Court as to whether compromise has been arrived at freely and voluntarily by the parties without any threat, coercion or undue influence. One Sibaji Guha, S.I. of Police attached to Arambagh P.S. submitted a report stating, inter alia, that charge sheet has been filed and a date was fixed on 30th May, 2022 for appearance of all the accused persons.

It appears from the record that though penal provisions under Sections 332/553 of the Indian Penal Code is non-compoundable, this Court under its inherent jurisdiction has the authority to record

compromise where a dispute of private nature is settled. Accordingly, a joint petition for compromise is accepted and criminal proceeding being G.R. Case No. 723 of 2020 pending before the learned Additional Chief Judicial Magistrate, Arambagh be quashed. Learned ACJM, Arambagh is directed to pass necessary order of discharge of the accused persons from the aforesaid criminal case.

The instant revision along with the application is disposed of.

(Bibek Chaudhuri, J.)