

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

Present:

The Hon'ble Justice Ananya Bandyopadhyay.

**CRR 2153 of 2013
With
CRAN 10 of 2023**

**Debangshu Chatterjee & Anr.
Vs.
The State of West Bengal & Anr.**

For the petitioner	: Mr. Sourav Chatterjee Ms. Subhasree Patel Mr. Soham Banerjee Ms. Saini Das
For the State	: Mr. Narayan Prasad Agarwala Mr. Pratick Bose
For the Opposite Party No.2	: Mr. Dipanjan Chatterjee Mr. Prateep Bera Mrs. Richa Pramanik
Heard on	: 06.01.2023 and 09.02.2023
Judgement on	: 26.04.2023

ANANYA BANDYOPADHYAY, J.:

1. The instant revisional application under Section 482 of the Criminal Procedure Code has been filed to quash the proceedings being A.C.G.R. Case No. 906 of 2012 arising out of Regent Park P.S. Case No. 29 of 2012 dated 31.01.2012 under

Sections 420/406/120B of the Indian Penal Code pending before the Court of the Learned 8th Judicial Magistrate, Alipore.

- 2.** The Learned Advocate Mr. Sourav Chatterjee appearing for the petitioners submits that the Opposite Party No. 2 herein filed a complaint, resulting in the registration of Regent Park Police Station Case No. 29 of 2012 dated 31.01.2012 under Sections 420/406/120B of the Indian Penal Code. On completion of investigation charge sheet no. 98 of 2012 dated 02.08.2012 under Sections 420/406/120B of the Indian Penal Code was submitted. The Learned Advocate for the petitioners further stated that the instant proceeding being A.C.G.R. Case No. 906 of 2012 pending before the learned Judicial Magistrate, 8th Court, Alipore, South 24 Parganas arising out of Regent Park Police Station Case No. 29 of 2012 dated 31.01.2012 under Sections 420/406/120B Indian Penal Code was stayed for a period of six weeks vide order dated 24.07.2013 passed by this Court which got extended from time to time. It was further submitted during pendency of the instant application a compromise has been effectuated between the petitioners and the opposite party no. 2 being the defacto complainant. The misunderstanding between the parties has been resolved. Consequently, an application being CRAN 10 of 2023 has been jointly filed by the petitioners and the opposite party no. 2 stating that the dispute between the parties was personal in

nature without the involvement of any public policy to be frustrated and submitted that the instant criminal revisional application may be allowed and the proceedings pending before the Trial Court be quashed.

3. The Learned Advocate Mr. Tarique Quasimuddin appearing on behalf of opposite party no. 2 concedes to the submission of the Learned Advocate for the petitioners stating that the opposite party no. 2 has affirmed the application being CRAN 10 of 2023 on 18th January, 2023. The Opposite Party No. 2 does not desire to pursue the case further against the petitioners on the basis of an amicable settlement of the disputes between the parties.
4. The Learned Advocate for the State submits that the dispute having been settled between the parties, the State has no objection if the present petition is allowed on the event of unwillingness of the parties to pursue the case any further.

On perusal of the materials on record including the complaint the dispute between the parties appeared to be private in nature without the invocation of any public policy in repugnance.

5. Relying on the observation of the Hon'ble Supreme Court in **(i) Gian Singh Vs. State of Punjab and Another¹, (ii) Parbatbhai**

¹ (2012) 10 Supreme Court Cases 303

Aahir Alias Parbatbhai Bhimsinghbhai Karmur and Others Vs. State of Gujrat and Another² and (iii) Madan Mohan Abbot Vs. State of Punjab³ the criminal proceedings in the instant case can be quashed on the basis of a compromise between the parties where the disputes are personal in nature inclusive of private disputants without public interest being affected.

6. Therefore, the instant criminal revisional application if allowed to be continued will result in unnecessary consumption of Court hours without yielding justified result.
7. In view of the compromise, proceedings being A.C.G.R. Case No. 906 of 2012 arising out of Regent Park P.S. Case No. 29 of 2012 dated 31.01.2012 under Sections 420/406/120B of the Indian Penal Code pending before the Court of the Learned 8th Judicial Magistrate, Alipore is accordingly quashed.
8. Both the parties shall approbate the terms of settlement between them and shall remain bound by the same as stated in the application being CRAN 10 of 2023.
9. This criminal revision application being CRR 2153 of 2013 is allowed. CRAN 10 of 2023 is accordingly disposed of.
10. There is no order as to cost.

² (2017) 9 Supreme Court Cases 641

³ 2008 CRI. L. J. 2243

- 11.** Let the copy of this judgment be sent to the learned trial court as well as the police station concerned for necessary information and compliance.
- 12.** All parties shall act on the server copy of this judgment duly downloaded from the official website of this court.

(ANANYA BANDYOPADHYAY, J.)