

CRR 2733 of 2019
Sri Dilip Sikdar & Ors.
Vs.
The State of West Bengal & Anr.

Mr. Kunal Ganguly
... for the petitioners
Mr. Arijit Ganguly
Mr. Sanjib Kr. Dan
... for the State
Mr. Avik Ghatak
Mr. Amit Ranjan Pati
... for the O.P. No. 2

Heard the learned counsel for the petitioner and
the opposite party no. 2 including the State.

Perused the report of the learned Mediator which is as
follows:

“As per direction of the Hon’ble Referral Court, the above captioned matter was first held at the Mediation Centre, High Court at Calcutta on 10th April, 2023. On 12th April, 2023 the second mediation meeting are held for resolving the dispute between the parties. The petitioner has filed the above noted case for quashing of Criminal Proceeding against G.R. Case No. 694/2019 of the Court of Ld. C.J.M., Paschim Baardhaman arising out of Asansol, (North) P.S. Case No. 82/2019.

In the course of mediation, I came to know that the petitioner No. 3 Smt. Payel Sikdar filed a case in Asansol (North) Police Station being Case No. 305/2018 dated 01.12.2018 against Sri Sandip Roy and Sri Ashok Roy (accused persons) and G.R. No. 2371/2018 which is pending before the Ld. J.M. 5th Court at Paschim Bardhaman.

That both the parties have agreed and voluntarily expressed to withdraw the case.

That both the parties have also agreed and stated that they will maintained peace between themselves and will not threat each other.

That the settlement has been voluntarily arrived in between the parties with their own free will and without any force, pressure or coercion”.

Considering the observations of the learned Mediator that the parties have decided to withdraw both the cases being G.R. Case No. 694 of 2019 pending before the Court of Ld. Chief Judicial Magistrate, Paschim Bardhaman, arising out of Asansol (North) P.S. Case No. 82 of 2019 which is before this Court under revision and another counter case being G.R. Case No. 2371 of 2018 pending before the Court of Ld. Judicial Magistrate, 5th Court, Paschim Bardhaman, arising out of Asansol (North) P.S. Case No. 305 of 2018 dated 01.12.2018, and considering the nature of offence alleged in the said case, the present revisional application is disposed of being withdrawn.

Consequently, as per the report of the Mediator, G.R. Case No. 2371 of 2018 arising out of Asansol (North) P.S. Case No. 305 of 2018 dated 01.12.2018 pending before the learned Judicial Magistrate, 5th Court, Paschim Bardhaman and G.R. Case No. 694 of 2019 arising out of Asansol (North) P.S. Case No. 82 of 2019, pending before the Court of Ld. Chief Judicial Magistrate, Paschim Bardhaman, be treated as withdrawn.

Both the parties will appear before the trial court and place the order of this Court before the trial court and pray for withdrawal of the respective cases and the concerned courts shall pass necessary orders accordingly.

(Shampa Dutt (Paul), J.)