

01 24.08.
2023

Ct
237

rup

**CRR 2591 of 2015
With
IA NO: CRAN 3 of 2023**

**Sri Ranendra Kumar Paul & Ors.
Vs.
The State of West Bengal & Anr.**

Mr. Tapas Kumar Ghosh,
Mr. Tanmoy Chudhury,
Mr. Somesubhra Ganguly

... for the petitioners.

Mr. Bidyut Kumar Roy,
Ms. Sima Biswas

... for the State.

The judgment and order of conviction dated 20th July, 2015 passed by learned Sessions Judge, Hooghly in connection with Criminal Appeal No. 15 of 2015 is under challenge in this revisional application.

By the impugned judgment, learned Sessions Judge, Hooghly found all the petitioners guilty of committing offence punishable under Sections 448/504 of the Indian Penal Code and sentenced them to pay fine of Rs.2000/- each, in default, to suffer simple imprisonment for one month.

Opposite party no.2/de-facto complainant filed one application under Section 200 of the Criminal Procedure Code before the learned Chief Judicial Magistrate, Hooghly, alleging, *inter alia*, that on 29th May, 2009 all the petitioners/accused trespassed into the house of the

de-facto complainant and abused the de-facto complainant and her family members. Cognizance was taken of the said offence and transferred to the Court of learned Judicial Magistrate, 4th Court, Hooghly, Chinsurah for trial. Learned Judicial Magistrate after considering all the evidence adduced on behalf of the de-facto complainant acquitted all the accused from the charge under Sections 341/448/504/506 of the Indian Penal Code.

Being aggrieved by that order, the appeal has been preferred before the learned Sessions Judge, Hooghly. Learned Sessions Judge re evaluated the entire evidence and passed the order impugned.

At this stage, both the parties to this revisional application appear before this Court along with an application for compounding offence under Section 320(6) of the Criminal Procedure Code.

From the record, it appears that accused/petitioners were convicted under Section 448/504 of the Indian Penal Code and both the offences are compoundable within the meaning of Section 320 of the Criminal Procedure Code.

Learned advocates appearing on behalf of the petitioners/accused as well as private opposite party no.2 are present and submits that both the parties to this revisional application have compromised the dispute among themselves and de-facto complainant has no

grievance at present against the petitioners/accused and they entered compromise out of mutual feelings of understanding.

Considering the compromise between the parties who put their respective signatures on the application in every page, I find no reason to stand in the way of compromise between the parties.

In the aforesaid view of the matter, the judgment dated 20th July, 2015 passed by learned Sessions Judge, Hooghly in connection with Criminal Appeal No. 15 of 2015 stands set aside.

All the petitioners/accuse be discharged from their bail bond, if furnished.

With the above observation, the revisional application along with CRAN 3 of 2023 stand disposed of.

Urgent photostat certified copy of the order, if applied for, be given to the parties on usual undertakings.

All parties to this revisional application shall act on the server copy of this order downloaded from the official website of this Court.

(Bibhas Ranjan De, J.)