

Form J(1)

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

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

**IA No: CRAN/1/2022
In
C.R.R. 4652 of 2022**

***Dr. Ankur Roy @ Aman Rahman & Ors.
Vs.
State of West Bengal & Anr.***

**For the petitioners : Md. Sabir Ahmed, Adv.
Mr. Biswajit Sarkar, Adv.**

**For the O.P. No.2 : Md. Abdur Rakib, Adv.
Mr. Dhiman Banerjee, Adv.**

**For the State : Mr. Sudip Ghosh, Adv.
Mr. Bitasok Banerjee, Adv.**

Heard on : 15.03.2023

Judgment On : 15.03.2023.

Bibek Chaudhuri, J.

Affidavit of service be kept with the record.

On the basis of a written complaint submitted by one Mr. Masud Alam, New Town Police Station Case No.03 of 2021 under Sections 341/326/307/34 of the Indian Penal Code was registered.

In course of pendency of the matter, the parties have arrived at an amicable settlement. A joint petition for settlement has been filed by both the parties to the instant revision.

It is submitted by them that they are residents of a same housing complex and there was a dispute between the flat owners in connection with certain amenities provided to the flat owners. On that issue, there was a quarrel, which resulted in filing of series of criminal cases by both the parties. Now, the parties have arrived at a settlement.

This Court on previous occasion directed the learned Public Prosecutor-in-Charge to instruct the Investigating Officer of the case to ascertain as to whether such compromise has been made voluntarily and without any threat, coercion or undue influence. The police officer attached to New Town Police Station has submitted a report stating, *inter alia*, that the dispute has been amicably settled by and between the parties voluntarily.

I have gone through the materials on record and I do not find any ingredient under Section 307 of the Indian Penal Code. All other offences are compoundable in nature.

In view of such circumstances, there is no impediment to quash the criminal proceeding pending between the parties.

In view of the above discussion, G.R. Case No.125 of 2021 arising out of New Town Police Station Case No.03 of 2021 dated 9th January, 2021 pending before the learned Chief Judicial Magistrate, Barasat be quashed and the learned Chief Judicial Magistrate is directed to pass necessary order discharging the accused persons from the case in accordance with the provision of the Code of Criminal Procedure.

(Bibek Chaudhuri, J.)

**Mithun De/
A.R. (Ct).
SI No.07.
D/L.**