

25 12.07.
Ct 2023
3
rup

**CALCUTTA HIGH COURT CIRCUIT BENCH
AT JALPAIGURI**

CRR 163 of 2021

**Atul Rana
Versus
The State of West Bengal & Anr.**

Mr. Sanjay Mazoomdar,
Ms. Sukanya Ashikary.
... for the petitioner.

Mr. Aditi Shankar Chakraborty, Ld APP
Mr. Ujjwal Luksom.
... for the State.

Both the learned advocates appearing on behalf of the parties to this revisional application are present.

Mr. Sanjay Mazoomdar, learned advocate appearing on behalf of the petitioner has submitted that dispute arose between the parties had already been settled in the year 2021.

Mr. Ujjwal Luksom, learned advocate appearing on behalf of the State has also submitted that dispute arose between the parties has already been settled and in support of his submission he referred to statement of de facto complaint, Naren Rai, recorded by the Investigating Officer on 6th May, 2023.

Dispute of this case arose owing to disbursement of Puja Bonus before 4th October, 2021 and one written complaint was lodged by Naren Rai being President of Workers Trade Union of Kanchanview Tea Estate, Darjeeling before Sadar Police Station,

Darjeeling with the allegation of misappropriation of Puja Bonus at the instance of the accused namely Atul Rana, who was Manager of the Tea Garden.

It is submitted on behalf of the prosecution that statement of Naren Rai clearly shows that matter has been settled and Puja Bonus were given to the employees on 30th October, 2021 along with wages and salaries for the year 2021.

Considering all the facts and circumstances of this case as well as settled principle enunciated by the Hon'ble Apex Court, I find no other option but to quash the entire proceeding in connection with Sadar Police Station Case No. 106 of 2021 dated 18.10.2021 under Section 406/409 of the Indian Penal Code.

With the above observation the revisional application stands disposed of.

Interim order, if there be any, shall stand vacated.

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

(Bibhas Ranjan De, J.)