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03.10
2024
Ct. No. 237

C.R.R. 1301 of 2022
Swati Sinha & Ors.
Vs.
The State of West Bengal & Anr.

Mr. Avik Ghatak
Mr. Abhinav Rakshit

...For the Petitioners

Ms. Anasuya Sinha
Mr. Pinak Kumar Mitra

...For the State

Mr. Arindam Jana
Mr. Somak Lahiri

...For the Opposite Party No. 2

Re.: IA No. CRAN 3 of 2024.

Petitioner herein has preferred the present application with a prayer for quashing of the proceeding being G.R. Case No. 2028 of 2021 arising out of Gariahat Police Station Case No. 136 of 2021 dated 20th July, 2021 alleging commission of offence punishable under Section 506/509/34 of the Indian Penal Code which is presently pending before the learned Judicial Magistrate, 1st Court, Alipore.

The allegations leveled in the complaint, inter alia, to the effect that on 20th July, 2021 at about 15.45 hours, the accused persons abated each other in order to abuse the complainant and his daughter, by using filthy language and also threatened him with dire consequences over the issue of parking of the opposite party No. 2's car on the road in front of the gate belonging to the premises bearing No. 11/1, Garcha 1st Lane, P.S. Gariahat.

It is submitted that upon completion of investigation, the Investigating Authority submitted charge sheet alleging commission of offence punishable under Section 506/509/34 of the Indian Penal Code.

It is further submitted that with intervention of well-wishers, the dispute and discord by and between the parties have been resolved amicably and compromise has been arrived at by and between the parties. It is further stated that in view of the compromise arrived at by the parties, both the parties have undertaken not to continue with the present proceeding or any other pending proceeding over the said dispute against each other.

In such view of the matter, the learned Counsel appearing on behalf of both parties submit that the offence alleged against the present petitioners are compoundable in nature and they may be compounded.

Having considered the aforesaid facts and circumstances of the case and also considering the submissions made on behalf of both the parties, it appears that parties are residents of neighboring area Gariahat and as such they want to bear good relations and maintain peace. Accordingly when the parties amicably settled their dispute outside the court, it would be a waste of time in going through a mock trial. Thus the offence alleged against the petitioners are hereby compounded and thereby shall have effect of an acquittal of the petitioners/accused persons.

The main application, being CRR 1301 of 2022 along with the application, being IA No. CRAN 3 of 2024 are accordingly disposed of.

Urgent Photostat certified copy of this order, if applied for, be given to the parties, on priority basis, upon compliance of all necessary formalities.

(Ajoy Kumar Mukherjee, J.)