

20-02-2024
Subha
Item no.19
Ct no.34

*IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction*

**CRR 1141 of 2023
with
CRAN 1 of 2023**

**Rohit Patar
-versus-
*The State of West Bengal and anr.***

Mr. Soumyajit Das Mahapatra
Ms. Madhurai Sinha
....for the petitioner.

Mr. Soumya Basu Roy Chowdhury
...for the o. p. no.2.

Mr. Ranabir Roy Chowdhury
Mr. Sandip Chakraborty
...for the State.

Petitioner has prayed for quashing the proceedings relating to Kharagpur(Local) police station case no. 410/2022 dated 27-05-2022 under sections 417/376 IPC. Subsequently, petitioner submits that there has been an understanding and joint compromise application has been preferred. So far as the joint compromise application is concerned, this court on an affidavit or an application cannot decide the issue.

Learned advocate submits that there has been change of circumstances. Such change of circumstances is to be brought before the trial court by way of evidence. This court in a summary manner cannot adjudicate on the issues so canvassed relating to the points of compromise. The application being CRAN 1 of 2023 is dismissed.

However, having regard to the fact that there may be larger

interest in respect of the issues, I direct the learned trial court to frame charge at the earliest and record the evidence of the victim as the first witness of the case. All efforts be taken by the learned trial court, if required, to prepone the dates and complete the whole process within a period of sixty days from the date of the communication of this order.

Petitioner would be at liberty to approach this court after the evidence of the victim is over. .

With the aforesaid observations, the revisional application being CRR 1141 of 2023 is disposed of.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]