

27 08.01.
& 2024
28

**CRR 1423 of 2015
IA NO: CRAN 1 of 2023**

Ct
237

rup

**Bikash Das
Vs.
The State of West Bengal & Anr.**

With

**CRR 1424 of 2015
IA NO: CRAN 1 of 2023**

**Balai Das
Vs.
The State of West Bengal & Anr.**

Mr. Ansuman Bera ... for the petitioner.

Mr. Mritunjay Chatterjee. ... for the OP No.2

Mr. Debashish Ray.
Mr. Anand Keshari ... for the State.

1. By consent of the parties, both the revisional applications and connected applications are taken up together for hearing and are disposed of by this common judgment and order as both the revisional applications are directed against the same order.
2. These revisional applications has been filed assailing the judgment and order dated 13th February, 2015 passed by the Additional Sessions Judge-Cum- Special Court, Chinsurah, Hooghly affirming the judgment and order of conviction dated 11th February, 2009 passed by the learned Judicial Magistrate, 4th Court, Hooghly, Sadar convicting both the petitioners in respect of CRR

1423 of 2015 and CRR 1424 of 2015.

3. Both the petitioners were found guilty of committing offence under Sections 147/341/323 of the Indian Penal Code. Accordingly, they were sentenced to suffer rigorous imprisonment for three (03) months each for the offences punishable under Sections 147 and 323 of the Indian Penal Code and they were sentenced to pay fine of Rs.300/- each for the offence punishable under Section 341 of the Indian Penal Code, in default, to suffer simple imprisonment for 10 (Ten) days each.
4. This judgment and order of conviction was challenged before the learned Sessions Judge, Hooghly and that was transferred to the Court of learned Additional Sessions Judge-Cum-Special Court, Chinsurah, Hooghly in connection with Criminal Appeal No. 93 of 2014 and Criminal Appeal No. 92 of 2014. Both the appeals were heard analogously and passed a common order. Learned Additional Sessions Judge-Cum-Special Court, Chinsurah, Hooghly modified the Trial Court's order in respect of offences punishable under Sections 147 and 323 of the Indian Penal Code, stating, inter alia, that both the sentences will run concurrently.
5. In criminal revision No. CRR 1423 of 2015 petitioner, Bikash Das has filed a joint compromise application, being CRAN 1 of 2023, signed by both the parties to this revisional application and in criminal revision No. 1424 of 2015 petitioner, Balai Das has filed a joint

compromise application being CRAN 1 of 2023 signed by both the parties to this revisional application.

6. Both the CRAN applications were filed for compounding the offence within the meaning of Section 320(6) of the Code of Criminal Procedure.
7. Learned advocate appearing on behalf of the State appears and submits that matter has been patched up between the parties.
8. Considering all facts and circumstances, I do not find any reason to stand in the way of compounding offence under Section 320(6) of the Code of Criminal Procedure.
9. The prayer is allowed. The case against the petitioners stand compounded. Both the petitioners are acquitted and discharged from their respective bail bond and they are set at liberty at once.
10. Both the revisional applications being No. CRR 1423 of 2015 and CRR 1424 of 2015 along with CRAN applications stand disposed of.
11. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Bibhas Ranjan De, J.)