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2024
Ct. No. 237

C.R.R. 4351 of 2022
Rasila Kothari & Ors.
Vs.
The State of West Bengal & Anr.

Mr. Milan Mukherjee
Mr. Dattatreya Dutta

...For the Petitioners

Mr. Rudradipta Nandy
Ms. Sonali Das

...For the State

Mr. Anirban Dutta
Ms. Surabhi Banerjee

...For the Opposite Party No. 2

Re.: IA No. CRAN 5 of 2024
IA No. CRAN 6 of 2024.

Petitioners herein filed the present application for quashing of FIR No. 46 of 2022 dated 21st April, 2022 under Section 120B / 207 / 403 / 404 / 406 / 420 / 467 / 468 / 471 / 474 of the Indian Penal Code.

It is submitted that during pendency of the present application parties have amicably settled their disputes. It is also submitted that a compromise decree has also been passed by the learned Civil Judge (Senior Division), 8th Court, Alipore recording settlement. In support of the same, a copy of the terms of settlement is also annexed with the present application. It is further submitted that in view of the amicable settlement, all the disputes between the parties, pending before various Courts have been settled. Accordingly, both the petitioner and private opposite party/complainant pray that the matter may be disposed of accordingly allowing the prayer for quashing the present proceeding.

Learned Counsel appearing on behalf of the opposite party also submits since the matter has been settled amicably, the de facto

complainant or his witnesses do not want to adduce evidence in support of the allegations made in the complaint.

The State is represented.

Having considered the facts and circumstance of the case and that in view of the amicable settlement the de facto complainant and his witnesses are not willing to support the prosecution case by adducing evidence and as such the chance of conviction of the present petitioners is bleak and for which further continuance of present proceeding before the Court below would be sheer abuse of process of Court.

In such view of the matter, the criminal proceeding, being CGR 1100 of 2022 pending before the learned Chief Judicial Magistrate, Alipore, South 24-Parganas is hereby quashed.

The main application, being C.R.R. 4351 of 2022 and the connected applications, being IA No. CRAN 5 of 2024 and IA No. CRAN 6 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.)