

D/L 7
18.07.2025
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ct.no.35

**W.P.A.4881 of 2018
With
CAN 1 of 2019 (Old No.CAN 10458 of 2019)
With
CAN 2 of 2024**

**Prodip Kr. Das
Versus
The State of West Bengal & Ors.**

Mr. Bikram Banerjee
Mr. Arindam Shit.
...for the petitioner.

Mr. Suddhadev Adak
Ms. Richa Pramanik.
...for the State-respondents.

Mr. Soumik Ganguli
Ms. Kumkum Mukherjee.
...for the respondent no.7.

Joint compromise affidavit filed on behalf of the petitioner and the respondent no.7 be kept with the record.

A joint compromise affidavit has been filed in respect of G.R. Case No.4383 of 2017 arising out of Pradhan Nagar Police Station Case No.724 of 2017; G.R. Case No.574 of 2018 arising out of Pradhan Nagar Police Station Case No.114 of 2018; G.R. Case No.1873 arising out of Pradhan Nagar Police Station Case No.391 of 2017 dated 11.06.2017; G.R. Case No.282 of 2018 arising out of Pradhan Nagar Police

Station Case No.66 of 2018; G.R. Case No.891 of 2017 arising out of Hare Street Police Station Case No.203 dated 12th May, 2017. There are also two civil cases being T.S. No.258 of 2018 pending before the learned Civil Judge (Junior Division), Siliguri and Title Suit No.68 of 2018 pending before the learned Civil Judge (Junior Division), Siliguri.

So far as all the criminal and civil cases are concerned except G.R. Case No.282 of 2018 which was at the behest of one Rahul Deb Banerjee, Sub-Inspector of Police of Kolkata Police, appropriate application for withdrawal of the cases be filed before the jurisdictional civil and criminal courts. So far as the criminal courts are concerned, they would assess whether the judgment of **Gian Singh Vs. State of Punjab** reported in **(2012) 10 SCC 303** is applicable to the facts of the case and accordingly the court would either allow the applicant to withdraw the case and in case it refuses to withdraw it should assign reasons in the case concerned.

So far as G.R. Case No.282 of 2018 is concerned, since the same has been initiated at the behest of a police officer, learned Magistrate in seisin of the case would assess who is the victim and as such, if required, after consideration of charges, record the statement of the victim and thereafter if it

is found that there is no prospect in the trial of the case would pass necessary orders as the learned court deems fit and proper.

With the aforesaid observations, WPA 4881 of 2018 along with CAN 1 of 2019 and CAN 2 of 2024 are disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)