

CRR No. 1715 of 2024

In the matter of : Atul Singh petitioner.

Mr. Tarique Quasimuddin
Mr. A. I. Khan
Ms. Meena Shabnam ...for the petitioner.

Ms. Zainab Tahur ...for the opposite party.

Mr. Debasish Roy
Mr. Rudradipta Nandy
Ms. Sanjana Saha ...for the State.

Heard learned counsels for the parties.

An FIR was lodged against the petitioner by the private opposite party which was registered as Burtolla Police Station Case No.206 of 2021 dated 18th December, 2021 under Section 376/417/506 of the Indian Penal Code. Charge sheet was submitted against the petitioner and the case was committed to the learned Additional District Judge-II, Sessions Court, Bichar Bhawan, Kolkata and numbered as Sessions Case No.91 of 2023.

The petitioner filed a revisional application earlier being CRR 526 of 2024 wherein he submitted that the dispute was amicably settled between them. By an order passed on 13th February, 2024 a co ordinate Bench of this Court recorded that in view of the advanced stage of the proceedings, the evidence of the de facto

complainant/victim was required to be recorded first in order to know her present state of mind as documents supplied under Section 207 of the Code of Criminal Procedure did not support such contention. The petitioner was granted liberty to enclose evidence of the victim girl and then approach this Court for renewing his prayer in respect of continuation of the proceedings.

The evidence of the private opposite party/de facto complainant was recorded by the learned Judge on 9th April, 2024.

The private opposite party stated before the learned Judge that she is still continuing with consensual relationship with the petitioner and had lodged the complaint due to misunderstanding with the petitioner and out of anger.

She has stated without any ambiguity that the complaint was lodged only out of anger and misunderstanding and she has no grievance against the petitioner.

In view of the above, this Court is inclined to hold that since the dispute between the parties has been amicably settled and the parties are maintaining a cordial relationship with each other, allowing the proceeding to continue further shall only be a futile exercise.

Sessions Case No.91 of 2023 pending before the learned Additional District Judge-II, Sessions Court, Bichar Bhawan, Kolkata be quashed.

The petitioner be set at liberty at once and be discharged from his bail bond.

The revisional application being CRR 1715 of 2024 is disposed of.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)