

HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION

Present:

THE HON'BLE JUSTICE JAY SENGUPTA

CRR 2623 of 2025
CRAN 1 of 2025

Hafijul Laskar and others
versus
The State of West Bengal and another

For the Petitioners	Mr. Debarshi Brahma
For the State	Mr. Suman De Mrs. Sonali Bhar
For the Opposite Party No.2	Mr. Samrat Choudhury
Last heard on	01.08.2025
Judgment on	01.08.2025

JAY SENGUPTA, J:

This is an application praying for quashing of a proceeding in connection with GR Case No.3600/2023 arising out of Sankrail Police Station Case No.561/23 dated 24.07.2023

under Sections 498A/325/307/34 of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act on the ground of settlement and compromise.

Learned counsels for the accused/petitioners and the de facto complainant/wife submit that the disputes between the private parties have been settled once and for all. The parties are residing together. They have three children to take care of.

Learned counsel for the State strongly opposes the prayer for quashing on the ground of compromise. He refers to the injury report at page 15 of the order sheet which refers to serious injuries on the spine. It was recorded as grievous with a question mark. Earlier, the petitioners had prayed for anticipatory bail before a Division Bench of this Court on the ground of settlement. The Division Bench directed recording a statement of the victim under Section 164 of the Code. In the said statement recorded under Section 164 of the Code, the victim clearly made allegations against the petitioners. There, it was categorically stated that the petitioners had been torturing the victim and threatened to kill her; they pushed her on the ground and then kicked her repeatedly. Accordingly, the petitioners' prayer for anticipatory bail was turned down on 25.01.2024 by the Division Bench in CRM(A) 4973 of 2023. In the order, it was recorded that the petitioners had attempted to mislead the Court.

Therefore, the petitioners have once been caught misleading the Court on the point that there was an amicable settlement.

Any further statement or stand of the alleged would have to be treated with obvious suspicion, at least, as to the voluntariness.

In view of the same and considering the materials available in the case diary, I do not consider this to be a fit case for quashing of proceeding on the ground of compromise and settlement.

Accordingly, the revisional application is dismissed.

Therefore, CRAN 1 of 2025 is also disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)

