

05.  
01.12.2025  
Bd.  
Ct. 29

**CRR 2196 of 2024**  
**IA No. CRAN 5 of 2025**  
**Vikash Kumar Bajoria & Anr.**

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

**Mr. Pawan Kumar Gupta**  
**Ms. Muskan Jalan**

**... for the petitioners**

**Mr. Sailendra Tiwari**  
**Mr. Shambhu Mahato**

**... for the O.P. No. 2**

**Mr. Debasish Roy**  
**Mr. Arijit Ganguly**  
**Ms. Rajnandini Das**

**... for the State.**

This is an application wherein petitioners have sought for quashing Newtown Police Station Case No. 376 of 2016 corresponding to Special Case No. 09 of 2016 presently pending before learned Special Court Barasat, North 24 Parganas. Initially on the basis of the allegation of defacto complainant case under section 323/427/354/509/120B/34 of Indian Penal Code along with sections 3(1) (iii)/3(X)/3 (XI)/3(XV) of the SC & ST (POA) Act, 1989, was started. Thereafter, the allegation under the SC and ST (POA) Act, has been dropped while the charge-sheet was filed. However, during pendency of the instant proceeding the parties have amicably settled their disputes and defacto-complainant has decided not to adduce evidence in support of the imputation leveled against the petitioners. To that extent, they have also filed an application being CRAN 5 of 2025 signed by both the parties.

Having heard learned counsel for the petitioners and the learned counsel appearing for the opposite party no. 2 and also the Public Prosecutor for State it appears that the defacto-complainant has made genuine settlement with the petitioners, as

such, he has decided not to adduce evidence against the present petitioners.

In such circumstances, continuance of further facade trial will be a mere abuse of the process of the court. Moreover, in view of such settlement at the end of trial there is hardly any chance of conviction of the present petitioners.

In such view of the matter, CRR 2196 of 2024 along with application being CRAN 5 of 2025 are allowed.

The impugned proceeding being Special Case No. 09 of 2016 arising out of Newtown Police Station Case No. 376 of 2016 dated 15.07.2016 pending before learned Special Court Barasat, North 24 Parganas, stands quashed.

Urgent photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

**(Dr. Ajoy Kumar Mukherjee, J.)**