

**CRR 2766 of 2025
with
CRAN 1 of 2025**

**Sk. Safikul Islam @ Sk. Safikul
Vs.
The State of West Bengal & Anr.**

Mr. Rafikul Islam Sardar	...for the petitioner
Ms. Sangita Banerjee	for the O.P. no. 2
Mr. Debasish Roy, Ld. PP	
Mr. Saryati Dutta	...for the State

This is an application wherein the petitioner has prayed for quashing the impugned proceeding being G.R. case no. 176 of 2022, presently pending before the learned Judicial Magistrate, 1st Court, Howrah.

It is submitted on behalf of the petitioner that the allegation against the petitioner in the FIR is that the petitioner assaulted the complainant and two others by iron rod and bamboo stick over property dispute for which they sustained injury on their persons and were treated at Howrah District hospital. There are further allegation of outraging female modesty and that the petitioner had taken away Rs.1200/- from the complainant's pocket. After completion of investigation, police submitted charge-sheet under Section 341/323/506/34 of the IPC.

It is now submitted that over the incident of quarrel that took place on 7th January, 2022, both the parties lodged a written complaint against each other. However that dispute

among the family members have been settled and a written settlement was made on 21st July, 2023 in presence of respectable persons in the locality. Petitioners and the defacto-complainant are now living peacefully at present and the defacto-complainant has no grievance against the petitioner and to that extent, they have filed connected application being CRAN 1 of 2025.

Learned counsel for the opposite party no. 2 submits that the matter has been amicably settled and his client i.e. Sk. Meheraj has put his signature on the connected application.

Learned Public Prosecutor appearing on behalf of the State placed the case diary and submits that since the parties have amicably settled their dispute and the State does not want to stand in their way.

Having considered the facts and circumstance of the case and that both the parties have arrived at a genuine settlement in the interest of future peaceful co-existence with the intervention of local people, and thereby already settled their dispute and are living peacefully, and that the defacto-complainant has decided not to adduce evidence in support of the imputations levelled in the complaint, I find a faked trial if allowed to continue, will be a mere abuse of process of the court. Moreover in view of such settlement, there is hardly any chance of conviction at the end of trial. Above all, offences in respect of which charge-sheet has been submitted, are compoundable offences.

Having considered the facts and circumstances of the case, the applications being CRR 2766 of 2025 along with the connected application being CRAN 1 of 2025 are allowed.

The impugned proceeding being G.R. case no. 176 of 2022, presently pending before the learned Judicial Magistrate, 1st Court, Howrah is hereby quashed.

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

(Dr. Ajoy Kumar Mukherjee, J.)