

In The High Court at Calcutta
Criminal Revisional Jurisdiction
Appellate Side

Coram:

The Hon'ble Justice Jay Sengupta

CRR 2888 of 2025

With

CRAN 1 of 2025

Raja Hanri @ Raja Hari & Ors.

Vs.

State of West Bengal & Anr.

For the petitioners : Mr. Siddhartha Sarkar

Mr. A. Goswami

For the de-facto complainant : Mr. Amit Ranjan Pati

Mr. Sunayan Ghosh

Ms. K. Kubra

For the State : Mr. Suman De

Ms. Suruchi Saha

Heard on : 02.09.2025

Judgment on : 02.09.2025

Jay Sengupta, J.:- This is an application for quashing of proceeding in G.R Case no. 764 of 2024 pending before the learned Additional Chief Judicial Magistrate, Bishnupur, Bankura arising out of Joypur Police Station Case

no. 181 of 2024 dated 2.6.2024 where a charge-sheet was submitted under Sections 498A, 325, 326, 307 and 34 of the Indian Penal Code.

Report filed on behalf of the State is taken on record.

Learned counsel appearing for the petitioners submits that during pendency of the proceedings, a settlement and compromise has been arrived at between the private parties that had led to the registration of the FIR and as such, the impugned proceeding ought to be quashed. The couple is living happily together.

Learned counsel appearing for the de-facto complainant supports such contentions of the petitioners and submits that as a compromise has been effected, the impugned proceeding ought to be quashed.

Learned counsel appearing for the State relies on the case diary and on the further statement of the alleged victim recorded before the learned Judicial Magistrate, 3rd Court, Bishnupur on 25.8.2025 and submits as follows. As per the version of the de-facto complainant/victim recorded before the learned Magistrate, there is no mention of any compromise or settlement that might have taken place between the private parties. The de-facto complainant reiterated that as the petitioners/husband was having an illicit relationship with another woman, there was a marital discord. When the de-facto complainant protested, she was beaten up by the husband. That is why, she lodged a complaint before the Joypur Police Station and went back to her paternal home. Moreover, there is an injury report present in the case diary.

From the materials available in the case diary and the subsequent statement of the alleged victim recorded before the Magistrate, the stand supposedly taken by the alleged victim in the joint compromise application becomes suspect.

Considering the fact that the petitioners' contention on the de-facto complainant as recorded in the joint promise application does not match with the subsequent statement of the victim recorded before the Magistrate and considering the materials available in the case diary, I do not find any merit in this application.

Accordingly, the revisional application and the connected application are dismissed.

However, there shall be no order as to costs.

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

(Jay Sengupta, J.)