

14.02.2025
Sl.No. 6
Ct. 32
Amalranjan

In The High Court At Calcutta
Criminal Revisional Jurisdiction
Appellate Side

CRR 3012 of 2017
With
CRAN 2/2018 (Old CRAN 673/2018)

Subhajit Dutta
Vs.
State of West Bengal and anr.

Mr. Uday Sankar chattopadhyay
Ms. Rajashree Tah
Ms. Trisha Rakshirt
Ms. Aishwarya Datta....for the petitioner

Mr. Sabyasachi Mukherjee
Mr. Mrinmay Nandy
Ms. Swastika Saha.....for the o.p. 2

Mr. Imran Aki
Ms. Debjani Sahu.....for the State

1. This instant revisional application has been filed by the petitioner under Section 482 of the Code of Criminal Procedure, 1973 challenging the impugned judgment and order 03.05.2017 passed by the learned Additional Sessions Judge, 2nd Court, Barrackpore, in Criminal Revision No. 96 of 2016 arising out of Dum Dum PS case no. 877 of 2013 dated 09.12.2013 under sections 341/323/354 of the IPC thereby affirmed the order dated 05.02.2016 passed by the learned Judicial Magistrate 1st Court, Barrackpore by which the learned Magistrate rejected the prayer for discharge of the petitioner.

2. During pendency of this revisional application, the defacto-complainant and the petitioner have arrived at a settlement out of court.
3. In that respect, an affidavit has been filed by the opposite party no. 2 containing therein that the defacto-complainant has no objection, if the revisional application is allowed in favour of the petitioner on settlement. The defacto-complainant will also not raise any objection in future.
4. Considering the allegations and nature of dispute as well as the matter has been settled out of court, this court seems it would not be proper to let the proceeding continue as there is every possibility conviction is remote and bleak as such, the continuation of the criminal proceedings would put the accused to great oppression and prejudice.
5. In view of the above facts and circumstances, the continuation of the criminal proceedings would not be justifiable. Hence, proceeding is hereby quashed due to settlement between the parties.
6. **CRR 3012 of 2017** is hereby disposed of.
7. Consequently, **CRAN 2/2018 (Old CRAN 673/2018)** is, thus, disposed of.
8. Interim order, if any, stands vacated.
9. Let the order be communicated to the Ld. Court below for information.

10. All parties are to act in terms of the copy of this order downloaded from the official website of this court.
11. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties on compliance of all legal formalities.

(Ajay Kumar Gupta, J.)