

Item 18.07.
No. 2025
07

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

Ct 32

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CRR 5244 of 2024
With
IA NO: CRAN 1 of 2025

Gautam Pathak
Vs.
The State of West Bengal & Anr.

Mr. Samrat Choudhury,
Mr. Harish Kumar Singh. ... for the petitioner.

Mr. Anit Dey,
Mr. Simanta Chakraborty, ... for the O.P. NO.2.

Mr. Debasish Roy, Ld. PP.
Ms. Subhasree Patel,
Mr. Sourat Nandy. ... for the State.

1. Affidavit of service filed by the petitioner be kept with the record.
2. Learned counsel appearing on behalf of the parties to this revisional application are present.
3. This case initially commenced under Sections 376(k)(n)/417 of the Indian Penal Code read with Section 3(1)(w)(i) & (ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. After investigation, chargesheet was filed under Sections 354/354B/417 of the Indian Penal Code read with Section 3(1)(w)(i) & (ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
4. Both the parties i.e. petitioner as well as opposite party no. 2 have filed one joint compromise petition being No.

CRAN 1 of 2024 and submit before this court that the issue involved in the case has already been patched up between the parties who are now married couple living together peacefully.

5. Learned counsel appearing on behalf of the State also did not stand in the way of compromise by submitting that de facto complainant has already deposed before the Trial Court that both the de facto complainant and the petitioner/accused are married and living together.
6. Learned counsel appearing on behalf of the petitioner has referred to the order dated 17.06.2022 passed by the Co-ordinate Bench of this Court in connection with CRR No. 427 of 2022 wherein Hon'ble Bench gave the liberty to approach this Court with a prayer for compromise after completion of deposition of the de facto complainant before the Trial Court.
7. Considering all facts and circumstances, further proceeding with this case would be a glaring example of abuse of process of Court.
8. In that view of the matter, the proceeding in connection with Special Case No. SPL 45 of 2021 pending before the Court of Learned Additional Sessions Judge, Barasat, North 24 Parganas stands quashed.
9. With the aforesaid observation, the revisional application as well as connected application stand disposed of.
10. Urgent photostat certified copy of the order, if applied

for, be given to the parties on usual undertakings.

11. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Bibhas Ranjan De, J.)