

06.
Bd.
Ct.29
08.04.2026

CRR 804 of 2026
With
CRAN 1 of 2026

Shibir Lala & Ors.

Vs.

The State of West Bengal & Anr.

Mr. Swapan Kumar Mallick

Ms. Payel Khanra ...for the petitioners

Ms. Sudeshna Das ...for the O.P. no. 2

Mr. Debasish Roy, Ld. PP

Ms. Mousumi Sarkar

Mr. Parvej Anam ...for the State

Report submitted by Baishnabnagar Police Station is taken on record.

Learned counsel for the petitioners Mr. Mallick, not pressed the application in connection with petitioner no. 1, Shibir Lala and therefore it is rejected being not pressed.

Petitioner nos. 2 to 7 of this application have made a prayer for quashing of the proceeding being Baishnabnagar Police Station Case No. 364 of 2025 presently pending before learned Chief Judicial Magistrate, Malda.

The allegation leveled in the complaint is that on 30th March, 2025 at about 11.30 a.m., a quarrel cropped up between the husband of the opposite party no. 2 and one Shibir Lala (who is not the petitioner) over installation of CCTV camera in the road side and as a result the said co-accused Shibir Lala started abusing the husband of the opposite party no. 2. When opposite party no. 2 raised protest, the petitioners together attacked her

with an intention to kill her and petitioner no. 3 Keya Poddar tried to strangulate her, when her husband came for her rescue, petitioner no. 2 Proloy Lala attacked the husband of the opposite party no. 2 with iron rod. Petitioner no. 5, Sandeep Lala, tried to outrage the modesty of opposite party no. 2. It is further alleged that said co-accused Shibir Lala in order to kill the mother in law of opposite party no. 2 had thrown acid and for which she received burn injury on her leg.

Being aggrieved by the aforesaid proceeding, learned counsel for the petitioners submits that several proceedings were going on between the parties both civil and criminal and the instant FIR has been lodged against the present petitioners in order to wreck vengeance and that the petitioners are no way associated with any unlawful activities.

It is further submitted that the petitioners have also amicably settled their disputes and opposite party no. 2 /defacto complainant have decided not to adduce evidence against the petitioners and as such chance of conviction of the petitioners is bleak and therefore the petitioners have prayed for quashing of the instant proceeding qua the petitioners.

Learned counsel for the opposite party no. 2 on instruction submits that the matter has been settled amicably among the parties and therefore opposite party no. 2/complainant has decided not to adduce evidence against the petitioners during trial.

Learned counsel for the State placed a report submitted by Baishnabnagar police station dated 01.04.2026, which also

discloses that mutual compromise has been arrived at between the defacto-complainant and the present petitioners and the opposite party no. 2/complainant has declared before the police that at present she has no allegation against the petitioners. Police has recorded the statement of complainant in respect of the amicable settlement.

Be that as it may, I have also gone through the materials in the case diary and it appears that during investigation prosecution has recorded the statements of witnesses who have made evasive statements and have not specifically implicated any of the petitioners in respect of the alleged offence. No specific overt act has also been attributed against any of the present petitioners in their statements. Though there are certain allegations and incriminating materials in respect of one of the co-accused namely Shibir Lala but so far as the present petitioners are concerned the allegations leveled in the complaint have not been substantiated during investigation. Furthermore, in view of amicable settlement arrived at by and between the petitioners and the defacto-complainant what would happen to the trial of the case, where defacto complainant has declared that she would not support the imputations leveled in the complaint. In such eventuality there would be almost no chance of conviction of the petitioners. Therefore, I find that further continuance of the instant proceeding against the present petitioners will be a mere abuse of the process of the court.

In such view of the matter, the proceeding being G.R. Case No. 214 of 2025 presently pending before the Court of learned

Chief Judicial Magistrate, Malda is hereby quashed qua the petitioners herein namely, **Proloy Lala, Keya Poddar, Madhabi Singha, Sandip Lala, Tami Lala and Parinita Lala.**

CRR 804 of 2026 thus stands disposed of. Connected application also stands disposed of.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)