

27.
08.01.2026
Bd.
Ct. 29

CRR 4124 of 2025
CRAN 1 of 2025
Sri Vikash Kumar Bajoria & Ors.

Vs.
The State of West Bengal & Anr.

Mr. Pawan Kumar Gupta
Ms. Muskan Jalan

Mr. Sailendra Kumar Tewari
Mr. Sambhu Mahato
Mr. Sreyash Kumar Singh ... for the opposite party no.2

Mr. Debasish Roy
Mr. Suman De
Mr. Kaustav Banerjee ... for the State.

Compliance Report dated 01.01.2026 submitted by the Inspector-in-Charge, New Town Police Station is taken on record, which discloses that the police had recorded the statement of defacto-complainant and he acknowledged that the matter has been amicably settled between him and the opposite parties.

In the instant application both the petitioners and the opposite party/defacto complainant have prayed for quashing of entire proceeding being G.R. Case No. 2447 of 2010 corresponding to Special Case No. 04 of 2023 presently pending before learned Additional District Judge, 1st Court, Barasat.

It appears that petitioners have been arraigned as accused persons by the private opposite party on the basis of a written complaint dated 24.05.2010 whereby it has been alleged that his father Ganesh Mondal and his other co-sharers i.e., petitioner no. 1 to 6 have managed to procure a sale deed below the market price and also by making false representation. The allegation under section 3 of Scheduled Castes and Scheduled Tribe (Prevention of Atrocities) Act, has also been leveled against the

petitioners. However, it is submitted that during pendency of the instant application, the parties have amicably settled their disputes and now both of them prayed for quashing the entire proceeding.

Learned counsel for the State placed the case diary and leaves the prayer to the discretion of the court.

I have considered the submissions made by the parties and on perusal of the materials available in the case diary including the FIR, it appears that offence under section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 does not attract in the present case. So far as the allegations of forgery is concerned that has also been substantiated during investigation. The parties have amicably settled their disputes in the interest of their future peaceful co-existence and in such circumstances, if any order is passed rejecting their prayer for quashing the proceeding merely on the ground that sections put against them are not compoundable, that may become counter productive.

In such circumstances, I am of the view that this is a fit case where the proceeding is liable to be quashed invoking this court's jurisdiction under section 528 of the BNS.

In view of above, CRR 4124 of 2025 along with connected application being CRAN 1 of 2025 are allowed.

The impugned proceeding being Special Case No. 04 of 2023 arising out of G.R. Case No. 2447 of 2010 presently pending before learned Additional District Judge, 1st Court, Barasat is hereby quashed.

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.)