**07.10.2026**
**Sl. No.1**
**sb**
**Ct. no. 5**

**Calcutta High Court**
**In the Circuit Bench at Jalpaiguri**

**CRR 542 of 2025**
**with**
**CRAN 1 of 2026**

**Sri Debanjan Dey & Ors.**
**Vs.**
**The State of West Bengal & Anr.**

Mr. Sudip Kr. Paul
...for the petitioners

Ms. Puja Roy
Ms. Rishita Chakraborty
...for the *de facto* complainant

Ms. Panchali Deb Sikder (Nag), Sr. Adv.
Mr. Rajyashree Ghosh
...for the State

In this application, the petitioners have assailed the proceeding being Siliguri Police Station case no. 376 of 2025 corresponding to G.R. case no. 13369 of 2025, presently pending before learned Additional Chief Judicial Magistrate, Siliguri.

Being aggrieved by the aforesaid proceeding, learned Counsel for the petitioners submits that the petitioner nos. 1, 2 and 3 are the local residents. The incidents described in the written complaint are not true. The petitioners due to the influence of an incident of hot altercation arising out of mis-interpretation of the words used by the petitioners, who belong to Bengali community and the opposite party, who

belongs to Nepali community, the alleged incident occurred on 6.6.2025. Thereafter, at the intervention of local people including the local representatives, the matter has been settled amicably and in view of such settlement, the defacto-complainant has decided not to proceed further with the instant proceeding.

It is further stated that in view of the amicable settlement, a connected application being CRAN 1 of 2026 has been filed, which bears the signature of both the parties. It appears from the connected application filed by the petitioners and the opposite party no. 2, who is the prime witness of the alleged occurrence that she has decided not to support the imputations leveled in the complaint, as she is not willing to proceed with the case any further. Therefore, further continuance of the impugned proceeding against the petitioners would be mere abuse of process of the court.

Learned counsel for the opposite party no. 2 on instruction submits that since the dispute has been amicably resolved at the intervention of the local people, the opposite party no. 2 has decided not to continue with the impugned proceeding and therefore, she is also in favour of the quashment of the impugned proceeding.

Learned counsel for the State placed the case diary and leaves the aforesaid prayer made by the petitioners and the opposite party no. 2 to the discretion of the court.

I have also gone through the materials collected during investigation, which practically does not constitute criminal offence against any particular accused in the absence of any specific allegations attributable to each of the accused persons.

I have also considered the submissions made on behalf of all the parties. It appears that the disputes between the parties have purely private in nature and no public policy is involved with the impugned criminal proceeding. It further appears that the parties have amicably settled their dispute and in terms of the settlement, the opposite party no.2, who is the vital witness, has decided not to adduce evidence in support of the allegations leveled in the complaint. Therefore, what will happen if the proceeding is allowed to continue when the defacto-complainant and her witnesses have decided not to support the imputations leveled in the complaint. Therefore, I find that this is a fit case where the proceeding is required to be quashed invoking this court's jurisdiction under Section 528 of the BNSS to secure the ends of justice.

In such view of the matter, CRR 542 of 2025 along with connected application being CRAN 1 of 2026 are allowed.

The impugned proceeding being Siliguri Police Station case no. 376 of 2025 corresponding to G.R. case no. 13369 of 2025, presently pending before learned Additional Chief Judicial Magistrate, Siliguri is hereby quashed.

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

**(Dr. Ajoy Kumar Mukherjee, J.)**