

20.07.2026

Item no. **12**

Ct. No.237

Suman

C.R.R. 1700 of 2026

With

CRAN 1 of 2026

Goutam Losalka and Another

Vs.

The State of West Bengal and Anr.

Mr. Avik Ghatak

Mr. Fahad Imam

Mr. S. Kar

Mr. Krishna Kant Sharma

.....for the petitioners

Ms. Radhika Misra

Ms. Rajnandini Das

..for O.P. No.2.

Mr. Subir Ganguly

Mr. Sandeep Prasad Shaw

..for the State

The petitioner filed this revisional application for quashing of the proceedings in connection with Kult Police Station Case No.167 dated April 3, 2026, under Sections 316(5), 316(2), 318(4), 318(3), 344, and 61(2) of the Bharatiya Nyaya Sanhita, 2023 arising out of Complaint Case No.201 of 2026, and all other proceedings incidental thereto, including G.R. Case No.878 of 2026, presently pending before the Court of the learned Chief Judicial Magistrate, Paschim Bardhaman.

In view of the judgement reported at ***AIR 1965 Supreme Court 1433 (Velji Raghavji Patel v. The State of Maharashtra)***, this Court was of the prima facie view that nature of allegations as

set out in the complaint did not specify the essential ingredients of the alleged offences.

Accordingly, this Court by an an interim order dated April 23, 2026 stayed all further proceedings of the said case for a period of twelve weeks from the date of the order.

However, today, it has been submitted by the learned advocates appearing for the parties that the dispute between them has been amicably settled and they have filed a joint compromise petition, being **CRAN 1 of 2026** for quashing of the present proceedings.

Upon consideration of the materials on record, this Court is of the view that the dispute between the parties is essentially commercial in nature and that a valid compromise has already been arrived at between them. In such circumstances, the continuation of the criminal proceedings would amount to an abuse of the process of law.

Having regard to the principles laid down by the Hon'ble Supreme Court reported at **(2012) 10 SCC 303 (Gian Singh v. State of Punjab)**, this Court is inclined to exercise its inherent jurisdiction to quash the present proceedings in the interest of justice.

Accordingly, Kulti Police Station Case No.167 dated April 3, 2026, under Sections 316(5), 316(2), 318(4), 318(3), 344, and 61(2) of the Bharatiya Nyaya Sanhita, 2023 arising out of Complaint Case No.201 of 2026, and all other proceedings incidental thereto,

including G.R. Case No.878 of 2026, presently pending before the Court of the learned Chief Judicial Magistrate, Paschim Bardhaman stands quashed in terms of the compromise recorded in **CRAN 1 of 2026**.

Consequently, **C.R.R. 1700 of 2026**, along with **CRAN 1 of 2026**, stands disposed of.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)