

17.08.2026

Sl. No.23.

D/L.

Mithun.

Ct.No.29.

CRR/2771/2026

Ashis Turi & Ors.

Vs.

The State of West Bengal & Ors.

Dr. Achin Jana,
Mr. Prosenjit Ghosh,
Ms. Chetna Rustagi,
Mrs. Darothi Mukherjee,
Ms. Shristi Thakur

...for the petitioners

Mr. Dhananjay Banerjee,
Mr. Pralay Hazra,
Mr. Mahiul Islam,
Mr. Archan Dutta,

...for opposite party no.2 & 3

Mr. Kallol Mondal, Ld.P.P.,
Mr. Imran Siddiqui

...for the State

In this application, the petitioners have prayed for quashment of the proceeding being Ausgram Police Station Case No.137 of 2026 presently pending before learned Chief Judicial Magistrate, Purba Burdwan.

Being aggrieved by the aforesaid proceeding, learned Counsel for the petitioners submits that the allegations made in the complaint are vague and omnibus in nature and no specific overt act or precise individual injury has been attributed to any of the petitioners which clearly demonstrates that the criminal law machinery has been misused and weaponized as a tool of harassment. In fact, the proceeding has emanated from a mere personal and communal misunderstanding. The petitioners are financially underprivileged traditional artisans belonging to the Scheduled Caste Community with absolutely no criminal antecedents, making the allegations inconsistent with their background

and character. The dispute arises from intra-family issues, particularly adjustments following a second marriage which has unfortunately spilled out into the community and has been given an unwarranted criminal dimension without satisfying the legal ingredients of serious offence.

However, during pendency of the said criminal proceeding, the *de facto* complainant along with the victim in one hand and the petitioners on the other, have amicably resolved the dispute and the complainant has decided not to pursue the criminal proceeding any further. In such circumstances, further continuance of the said criminal proceeding would be nothing but an abuse of the process of Court and as such they pray for quashment of the said proceeding.

Learned Counsel appearing on behalf of opposite party nos.2 and 3, i.e. the *de facto* complainant and the victim, on instruction, submits that in view of the amicable settlement, the complainant has decided not to support the imputations levelled in the complaint and both *de facto* complainant and victim want that the said criminal proceeding be quashed.

Learned Counsel appearing on behalf of the State placed the Case Diary and submits that during investigation police has recorded statement of three witnesses and left the prayer made by both the parties to the discretion of the Court.

Having heard learned Counsel for the petitioners and both the opposite parties, it appears that the dispute between the parties is purely private in nature and they have amicably settled the dispute amongst themselves and in view of such settlement, it further appears that the *de facto* complainant has decided not to support the imputations levelled against the petitioners and, as such, I find that even if the impugned

proceeding is allowed to continue any further, there is hardly any chance of conviction at the end of trial.

Therefore, further continuance of the impugned proceeding will also not yield any fruitful result and as such I find that this is a fit case where the proceeding is liable to be quashed invoking this Court's inherent jurisdiction under Section 528 of the BNSS to secure the ends of justice.

I view of above, CRR 2771 of 2026 along with CRAN 1 of 2026 are allowed.

The impugned proceeding being Ausgram Police Station Case No.137 of 2026 dated 09.04.2026 presently pending before learned Chief Judicial Magistrate, Purba Burdwan is hereby quashed.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Dr. Ajoy Kumar Mukherjee, J.)