

Form No. J(2)

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side

Present:

The Hon'ble Justice Jay Sengupta

CRR 374 of 2020

With

IA No: CRAN 1 of 2020 (Old No: CRAN 510 of 2020)

Gaurav Agarwal

Vs.

State of W.B. & another

For the Petitioner : Mr. Anirban Dutta
: Mr. Abir Chakraborty

For the State : Mr. Saswata Gopal Mukherji, Ld.PP
: Ms. Sayanti Santra

For the O.P. No.2 : Mr. Vineet Kothari

Heard on: 23rd December, 2020

Judgment on : 23rd December, 2020

The Court:

This is an application for quashing of a proceeding in which a charge-sheet was submitted under Section 498A and Sections 3 and 4 of the Dowry Prohibition Act.

Affidavit of service filed on behalf of the petitioner is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the husband of the opposite party no.2 who happened to be the purported victim and the defacto-complainant in this case. During pendency of the impugned proceeding, a settlement and compromise has been arrived at between the petitioner and the opposite party no.2 of all disputes that had led to the registration of the First Information Act. A memorandum of understanding was entered into by the private parties. A joint compromise application has also been filed by them.

Learned counsel appearing on behalf of the opposite party no.2 submits as follows. A compromise and settlement is indeed been arrived at between the private parties of all disputes that had led to the initiation of the present case. In the interest of justice, the impugned proceeding ought to be quashed on the ground of compromise.

Learned counsel appearing on behalf of the State refers to the case diary and submits as follows. The State would not come in the way if a compromise and settlement is arrived at between the private parties. In fact, the opposite party no.2

had intimated the Investigating Officer of the case about such amicable settlement.

A copy of the report submitted by the Investigating Officer as filed in Court today is taken on record.

I have heard the submissions of the learned counsels appearing on behalf of the petitioner, the State and the defacto-complainant and have perused the revision petition, the case diary and the report filed by the Investigating Officer.

It appears that a settlement and compromise has indeed been arrived at between the victim and the accused of all disputes that had led to the initiation of the impugned proceeding.

In view of the above and in the interest of justice, I quash the impugned proceeding on the ground of compromise and settlement between the private parties.

With these observations, the revisional application and the connected application are disposed of.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta,J.)

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