

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

Before:

The Hon'ble Mr. Justice Jay Sengupta

CRR 1452 of 2020
+
CRAN 1 of 2020
with
CRR 754 of 2020

Kamal Agrawal & Ors.
Vs.
The State of West Bengal & Ors.

For the Petitioner	:	Mr. Sabyasachi Banerjee Mr. Rishav Kr. Thakur
For the Opposite Party no. 2	:	Mr. Soumyadeep Mukherjee Mr. Anjan Datta, Mr. Biswajit Mal.
For the State	:	Mr. Saswata Gopal Mukhopadhyay, Id. PP Ms. Sayanti Santra
Heard on	:	21.12.2020
Judgement delivered on	:	21.12.2020

Jay Sengupta, J. :

Learned counsels appearing on behalf of the parties submit that the revisional applications being CRR 1452 of 2020 with CRAN 1 of 2020 and CRR 754 of 2020, being connected ones, may be taken up for hearing together.

In re : **CRR 754 of 2020**

Learned counsel appearing for the petitioners in the two revisional applications submit that the petitioners would not like to press the revisional application being CRR 754 of 2020 because of some inherent defects. On his prayer, the said revision being CRR 754 of 2020 is dismissed as not pressed.

In re : **CRR 1452 of 2020**

Learned counsel appearing on behalf of the petitioners in CRR 1452 of 2020 submits as follows. The petitioners are the accused in a case where a charge sheet was submitted under Sections 307, 325, 406 and 498A read with Section 34 of the Penal Code and Sections 3, 4 of the Dowry Prohibition Act. During the pendency of the impugned proceeding, a compromise and settlement was arrived at between the accused/petitioners and the de facto complainant of all disputes that had led to the initiation of the impugned proceeding. A joint compromise application has been filed in this regard.

Learned counsel appearing on behalf of the de facto complainant/victim submits as follows. A compromise and settlement has indeed been arrived at between the accused and the victim of all disputes that had led to the commencement of the impugned

proceeding. An application for mutual divorce has been filed by the couple before the learned civil court. In the interest of justice, the impugned proceeding ought to be quashed on the ground of settlement and compromise.

Learned counsel appearing on behalf of the State refers to the case diary and files a report in respect of the compromise and settlement. The report is taken on record.

Learned counsel for the State, in his usual fairness, submits that the State would not come in the way if a compromise and settlement is arrived at between the private parties of all disputes that had led to the filing of the first information report. Learned counsel for the State further submits that there is hardly any medical evidence to invoke Sections 325 and 307 of the Penal Code.

I have heard the submissions of the learned counsel for the parties and have perused the revision petition, the case diary and the report filed on behalf of the State.

It appears that a compromise and settlement has indeed been arrived between the parties 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.

The revisional application being CRR 1452 of 2020 and the connected application being CRAN 1 of 2020 are disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)

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