

Form No. J(2)

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side

Present:

The Hon'ble Justice Jay Sengupta

CRR 1481 of 2020
with
CRAN 1 of 2020

Ravi Khaitan & ors.
Vs.
State of W.B. & another

For the Petitioners : Ms. Anjana Banerjee
: Mr. Pradeep Pandey

For the State : Mr. Madhusudan Sur, Ld.APP
: Mr. Manoranjan Mahata

For the O.P. No.2 : Mr. Sujoy Sarkar

Heard on: 4th December, 2020

Judgment on : 4th December, 2020

The Court:

This is an application for quashing of a proceeding in which a charge-sheet was submitted under Sections 313, 323, 498A, 506 read with Section 34 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioners submits as follows. At the intervention of common relations

and family friends, a compromise and settlement was arrived at between the accused and the victim/defacto-complainant of all disputes that had led to the initiation of the impugned proceeding. A joint compromise application has also been filed in this regard.

Learned counsel appearing on behalf of the defacto-complainant/victim submits as follows. A compromise and settlement has indeed been arrived at between the private parties and a joint compromise application has also been filed. An application for mutual divorce that has been filed before the learned appropriate forum, which is still pending.

Learned counsel appearing on behalf of the State refers to a certificate issued by a hospital as appended at page 23 of the case diary and submits that the victim had suffered missed abortion and was treated at a hospital. As such, no case is made out under Section 313 of the Indian Penal Code. He further submits that State would not come in the way if a settlement and compromise is arrived at between the private parties.

I have heard the submissions of the learned counsels appearing on behalf of the petitioners, the State and the victim/opposite party no.2 and have perused the revision petition and the case diary.

It appears that a settlement and compromise has indeed been arrived at between the private parties of the disputes that had led to the initiation of the present proceeding.

In view of the above and in the interest of justice, I quash the impugned proceeding in G.R. No. 4751 of 2017 pending before the learned Additional Chief Judicial Magistrate, Barrackpore, North 24 Parganas on the ground of compromise and settlement.

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

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

(Jay Sengupta,J.)