

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

Before:
The Hon'ble Mr. Justice Jay Sengupta

C.R.R. 582 of 2020
CRAN 1 of 2020

Bhanja Sarkar
Vs.
The State of West Bengal & Anr.

For the Petitioner	:	Mr. Uday Sankar Chattopadhyay, Ms. Snigdha Saha.
For the State	:	Mr. Saswata Gopal Mukherjee Ld PP, Ms. Sayanti Santra.
For the OP No.2	:	Mr. Santanu Maji, Ms. Payel Shome.
Heard on	:	20.01.2021
Judgement delivered on	:	20.01.2021

Jay Sengupta, J. :

This is an application seeking quashing of a proceeding in which a charge sheet was submitted under Sections 323, 406, 498A of the Penal Code.

A report filed by the Inspector-in-Charge, Habra Police Station regarding the purported compromise and settlement arrived at between the private parties, as filed in Court, is taken on record.

Learned Counsel appearing on behalf of the petitioner submits as follows. The petitioner is the accused in this case. During pendency of the proceeding, a compromise and settlement has been arrived at between the private parties of all disputes that had led to the registration of the First Information Report. In the interest of justice, the impugned proceeding ought to be quashed on the ground of compromise and settlement.

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 de facto complainant of all disputes that had led to the initiation of the impugned proceeding. In fact, the husband and wife are presently staying together. As such, the impugned proceeding ought to be quashed on the ground of compromise and settlement.

Learned Counsel appearing on behalf of the State relies on the case diary and the report filed by the Inspector-in-Charge of Habra Police Station containing a copy of a letter given by the de facto complainant in this regard and, 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.

I have heard the submissions of the learned Counsels appearing on behalf of the accused/petitioner, the de facto complainant/victim and the State and have perused the revision petition, the joint compromise application, the case diary and the report filed by the Investigating Agency.

It appears that the disputes that had led to the initiation of the impugned proceeding have indeed been settled and compromised between the private parties.

In view of the decision of the Hon'ble Apex Court in the case of **Gian Singh Vs. State of Punjab** reported in (2012) 10 SCC 303, I consider this to be a

fit case where the impugned proceeding ought to be quashed on the ground of compromise and settlement.

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

With these observations, the revisional application 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.)