

C.R.R. 432 of 2021
(IA NO: CRAN 1/2021, CRAN 2/2021)

In the matter of: John Joseph

....petitioner.

Ms. P. Malakar

...for the petitioner.

Md. A. Ansari

...for the opposite party no.2.

Mr. S. G. Mukherjee, P.P.,
Ms. D. Sahu

...for the State.

This is an application for quashing of a proceeding in which charge sheet was submitted under Sections 498A and 506 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioner submits as follows. During pendency of the proceeding, a compromise and settlement has been arrived at between the accused and the defacto complainant/victim of all disputes that had led to the initiation of the impugned proceeding. A joint comprise application had been filed in this regard. They have decided to continue with their marital ties and in fact, are leading a happy married life.

Learned counsel for the defacto complainant/victim submits as follows. A compromise and settlement has indeed been arrived at between the accused/petitioner and the defacto complainant/victim of all disputes that had led to the registration of the first information report. The husband and

wife are staying together. A joint compromise petition has accordingly been filed. In the interest of justice, the impugned proceeding ought to be quashed on the ground of compromise and settlement.

Learned counsel for the State relies on the Case Diary and submits that the State would not come in the way if the private parties decide to settle the dispute.

I have heard the submissions of the learned counsels appearing on behalf of the petitioner, the de-facto complainant/victim and the State and have perused the revision petition, the joint compromise application and the case diary.

It appears that a compromise and settlement has indeed been arrived at between the accused and the defacto complainant/victim of all disputes that had led to the initiation of the impugned proceeding and they have decided to stay together. The marriage had taken place about 22 years ago and the couple have an eighteen years old daughter to take care of.

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 accused and the de-facto complainant/victim.

With these observations, the revisional application and the connected applications being CRAN 1 of 202 and CRAN 2 of 2021 are disposed of.

Urgent photostat certified copy of the order, if applied for,
be given to the parties, upon usual undertakings.

(Jay Sengupta, J.)