

CRR 764 of 2021

with

CRAN 1 of 2021

In re : An application under Section 482 of the Code of Criminal Procedure, 1973.

In the matter of : **Vikram Mundra & Ors.**

..... petitioners

**Mr. Debanik Banerjee
Mr. Mainak Swarnokar**

....For the petitioners

**Md. Anwar Hossain
Ms. Sreyashee Biswas**

....For the State

**Mr. Mujibar Ali Naskar
Mr. Nazmut Tauhid
Mr. Akash Ganguly**

.....For the opposite party no. 2

Today, a report dated September 1, 2021, has been made over to this Court by the Officer-in-Charge, Golabari Police Station, Howrah. It appears from the report that the opposite party no. 2 was asked to attend the police station on August 27, 2021 in compliance with the order dated August 23, 2021, passed by this Court.

The opposite party no. 2 has addressed a letter dated August 30, 2020, to the Officer-in-Charge, Golabari Police Station, Howrah stating that she is not willing to continue with the present criminal case as disputes between the parties have been settled.

Let such report be kept with the record.

In this case, the charge sheet was submitted on January 9, 2021, under Sections 498A/323/34 of the Indian Penal Code, 1860.

I am of the opinion that the disputes between the parties having been settled amicably, there is no justification to continue the present criminal proceeding.

It has been held by the Supreme Court in the case reported at **(2019) 5 SCC 688 (State of Madhya Pradesh -Vs- Laxmi Narayan)** as follows:-

“**15.**Considering the law on the point and the other decisions of this Court on the point, referred to hereinabove, it is observed and held as under:

15.1. That the power conferred under [Section 482](#) of the Code to quash the criminal proceedings for the non-compoundable offences under [Section 320](#) of the Code can be exercised having overwhelmingly and predominantly the civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationship or family disputes and when the parties have resolved the entire dispute amongst themselves;

.....

15.5.While exercising the power under [Section 482](#) of the Code to quash the criminal proceedings in respect of non-compoundable offences, which are private in nature and do not have a serious impact on society, on the ground that there is a settlement/compromise between the victim and the offender, the High Court is required to consider the antecedents of the accused; the conduct of the accused, namely, whether the accused was absconding and why he was absconding, how he had managed with the complainant to enter into a compromise, etc.”

In that view of the matter, the criminal proceeding being G.R. Case No. 5084 of 2020, under Sections 498A/323/34 of the Indian Penal Code, 1860, pending before the learned Chief Judicial Magistrate, Howrah, stands quashed.

The revisional application **CRR 764 of 2021**, and the connected application being **CRAN 1 of 2021**, are disposed of.

All parties shall act upon the server copy of this order duly downloaded from the official website of this Court.

(Kausik Chanda, J.)