

IN THE HIGH COURT AT CALCUTTA

Criminal Revisional Jurisdiction

Before:

The Hon'ble Mr. Justice Jay Sengupta

C.R.R. 846 of 2021

CRAN 1 of 2021

Anand Bhagchandka & Anr.

Vs.

The State of West Bengal & Anr.

For the Petitioners	:	Mr. Pinak Kumar Mitra, Mr. Kushagra Shah,
For the State	:	Mr. Arijit Ganguly, Mr. Sandip Chakraborty.
For the Opposite Party No.2.	:	Mr. Rahul Singh, Mr. Sujay Biswas.
Heard on	:	06.08.2021
Judgement on	:	06.08.2021

Jay Sengupta, J. :

1. This is an application seeking quashing of a proceeding being GR Case No. 1333 of 2018 presently pending before the learned Metropolitan Magistrate, 4th Court, Calcutta in which a charge sheet was submitted under Sections 406 and 498A read with Section 34 of the Penal Code.
2. Learned Counsel appearing on behalf of the accused /petitioners submits as follows. In course of the proceeding, at the behest of common friends

and family members, a compromise and settlement was arrived at between the private parties and a joint compromise application has also been filed in this regard. In view of the same, the impugned proceeding may be quashed on the ground of compromise and settlement.

3. Learned Counsel appearing on behalf of the de facto complainant/victim lady submits as follows. The disputes and differences that had led to the initiation of the impugned proceeding have indeed been amicably settled and compromised between the accused/ petitioners and the de facto complainant/opposite party. The opposite party no.2 does not have any objection if the proceeding is quashed on the ground of compromise and settlement.
4. Learned Counsel appearing on behalf of the State relies on the case diary and the report filed on behalf of the investigating agency on the last occasion and submits as follows. There is no injury report available in the case diary. The State would not come in the way if a settlement and compromise is arrived at between the private parties.
5. I have heard the submissions of the learned Counsels appearing on behalf of the petitioners, the State and the private opposite party and have perused the revision petition, the case diary and the report filed earlier.

6. The report filed on the last occasion contains a statement of the de facto complainant/victim recorded under Section 161 of the Code and a letter written by her to the Officer-in-Charge of the Shakespeare Sarani Police Station categorically vouching about the amicable settlement that has been arrived at between the private parties.
7. It appears that a settlement and compromise has indeed been arrived at between the accused petitioners and the de facto complainant/victim of all disputes that had led to the initiation of the impugned proceeding.
8. I consider this to be a fit case to be quashed on the ground of compromise 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.
9. In view of the above, I quash the impugned proceeding on the ground of settlement and compromise arrived at between the private parties.
10. With these observations, the revisional application and the connected application are disposed of.
10. Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)

SI.02/NB