

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

Before:
The Hon'ble Mr. Justice Jay Sengupta

C.R.R. 3260 of 2019
CRAN 1 of 2019 (Old No. CRAN 4214 of 2019)
CRAN 2 of 2020

Arindam Roy Chowdhury & Ors.
Vs.
The State of West Bengal & Anr.

For the Petitioners	:	Mr. Soumyajit Das Mahapatra
For the State	:	Mr. Saswata Gopal Mukherjee Ld PP, Mr. Imran Ali.
For the OP No.2	:	Mr. Somnath Adhikary
Heard on	:	14.01.2021
Judgement delivered on	:	14.01.2021

Jay Sengupta, J. :

This is an application praying for quashing of a proceeding under Sections 406, 498A, 506 read with Section 34 of the Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

Learned Counsel appearing on behalf of the petitioners submits as follows. The petitioners are the husband and the parents-in-law of the de facto complainant/opposite party no.2. During pendency of the proceeding, a compromise and settlement was arrived at between the private parties of all disputes that had led

to the registration of the First Information Report. The couple in question decided to part ways. A reference is made to paragraphs 4 and 5 of the joint compromise application. 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. It is prayed that the impugned proceeding may be quashed on the ground of compromise and settlement.

Learned Counsel appearing on behalf of the State relies on the case diary 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/petitioners, 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 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 an appropriate 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 2019 (Old No. CRAN 4214 of 2019) are disposed of.

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

(Jay Sengupta, J.)

NB