

C.R.R. 3630 of 2019
IA NO: CRAN 1/2019
(Old CRAN 4888 of 2019)

In the matter of: Sandipan Banerjee & Ors.

....petitioners.

Mr. Jayanta Narayan Chatterjee
Ms. Nandini Chatterjee
Mr. Supreme Naskar

...for the petitioners.

Mr. Subhomoy Bhattacharya
Ms. S. Mukherjee
Ms. Ishani Kundu

...for the opposite party no.2.

Ms. Sayanti Santra

...for the State.

This is an application for quashing of a proceeding in which a charge-sheet was submitted under Sections 498A, 406, 506 and 34 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the husband and the parents-in-law of the defacto complainant/opposite party no.2. During pendency of the impugned proceedings, a compromise and settlement has been arrived at between the accused and the victim of all disputes that had led to the registration of the FIR. In the interest of justice, the impugned proceeding ought to be quashed.

Learned Counsel appearing on behalf of the defacto complainant/opposite party no.2 submits as follows. A compromise and settlement has indeed been arrived at between the private parties of all disputes that had led to the initiation of

the impugned proceeding and a joint compromise application had been filed in this regard. The husband and wife have decided to part ways. Accordingly, a decree of mutual divorce was obtained. In view of the joint compromise and settlement between the private parties, the impugned proceeding may be quashed.

Learned advocate appearing on behalf of the State relies on the Case Diary, places a report and submits that the defacto complainant did not want to proceed with the matter. Learned counsel submits that the State would not stand in the way if a settlement is arrived at between the private parties.

The report is taken on record.

It appears that a joint compromise and settlement has indeed been arrived at between the private parties of all disputes that had led to the initiation of the present case. A joint compromise petition has accordingly been filed. It also appears that the articles of the defacto complainant/opposite party were returned by the petitioners and the same were received by the defacto complainant/opposite party.

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 victim.

With these observations, the revisional application and the connected application being CRAN 4888 of 2019 are disposed of.

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

(Jay Sengupta, J.)