

Court No.
39
Item 45
Ssi

C.R.R. 338 of 2022
CRAN 1 of 2022

31.03.
2022

In the matter of:- **Anindita Panja & ors.**

Mr. Sanat Kr. Das
Mr. Sujan Chatterjee
...for the petitioners
Mr. Satadru Lahiri
Mr. Safdar Azam
...for the opposite party
Mr. Saswata Gopal Mukherjee, Ld. PP
Mr. Imran Ali
Ms. Debjani Sahu
...for the State

This is an application for quashing of a proceeding under Sections 406, 420 and 120B of the Indian Penal Code being ACGR Case No. 2326 of 2021 pending before the Additional Chief Judicial Magistrate, Alipore, South 24 Parganas.

Affidavit of service filed on behalf of the petitioners is taken on record.

Learned counsel appearing on behalf of the petitioners files a copy of the trade license of the accused concerned Roni International, which is taken on record, and submits as follows. The petitioners are the accused in this case while the opposite party no.2 is a defacto-complainant. It is admitted in the First Information Report that one Chittaranjan Panja was the husband of the present petitioner no.1. It would also

appear from the trade license of the accused concerned Roni International that it is not a company, but only a proprietorship which was owned by the late Chittaranjan Panja. During pendency of the present proceeding, a compromise and settlement was arrived at between the surviving accused and the defacto-complainant/opposite party of all disputes that had led to the initiation of the impugned proceeding. The money in question has been paid by the accused to the victim. A joint compromise application has also been filed in this regard. In view of the same, the proceeding ought to be quashed on the ground of settlement.

Learned counsel appearing on behalf of the defacto-complainant submits as follows. A compromise and settlement has indeed been arrived at between the private parties of all disputes that had led to the registration of the FIR.

Learned counsel for the State relies on a report containing the subsequent statements of the defacto-complainant, which is taken on record, and submits as follows. The State would not come in the way if a settlement is arrived at between the private parties of all disputes that had led to the registration of the First Information Report. The disputes between the private parties appear to be a private nature.

I have heard the submissions of the learned

counsels appearing on behalf of the parties and have perused the revision petition.

It appears that a compromise and settlement has indeed been arrived at between the accused and the victim defacto-complainant and the joint compromise application has been filed in this regard.

In view of the same and in the interest of justice, I quash the impugned proceeding on the ground of compromise and settlement arrived at between the private parties.

Accordingly, the revisional application and the connected application CRAN 1 of 2022 stand disposed of.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)