

Court No.
39
Item 4 to 7
Ssi

14.09.
2022

C.R.R. 303 of 2019
CRAN 1 of 2019 (Old No: CRAN 469 of 2019)
C.R.R. 304 of 2019
CRAN 1 of 2019 (Old No: CRAN 470 of 2019)
C.R.R. 305 of 2019
CRAN 1 of 2019 (Old No: CRAN 471 of 2019)
C.R.R. 306 of 2019
CRAN 1 of 2019 (Old No: CRAN 472 of 2019)

Mr. Aranya Saha
for the petitioner in CRR 303 of
2019, 304 of 2019, 305 of 2019
Mr. Sreekumar Chakraborty
...for the petitioner in CRR 306 of 2019
Mr. Sreekumar Chakraborty
...for the respondents
Mr. Aranya Saha
...for the op in CRR 306 of
2019
Mr. Swapan Banerjee
Mr. Suman De
...for the State in CRR 303 of 2019
Mr. S. G. Mukherji, Ld. PP
Mr. Binay Panda
Mr. S. Bhakat
...for the State in CRR 304 of 2019,
305 of 2019, 306 of 2019

The revisional applications being CRR Nos. 303 of 2019, 304 of 2019, 305 of 2019 and 306 of 2019 are taken up together for hearing as these are connected matters and as the private parties in all these revisions claim that they had settled the disputes between themselves and wish to put an end to the impugned proceedings.

In CRR 303 of 2019, the petitioner is the husband of the defacto-complainant/victim and in CRR 304 of

2019, the petitioners are the husband, the son and the daughter-in-law of the defacto-complainant/victim. In CRR 305 of 2019, the petitioners are the father and brother of the defacto-complainant opposite party no.2. In CRR 306 of 2019, the petitioner no.2 is the son-in-law of the opposite party no.2 and the petitioner no.1 is the brother in the petitioner no.2.

In all the above cases, the respective counsels for the accused petitioners and the respective counsels for the defacto-complainant/victim have submitted that all the disputes that had led to the initiation of the different impugned proceedings have been settled between the private parties and the private parties are praying for quashing of the proceedings on the ground of settlement. In fact, the young couple in question are staying together and leading a happy married life.

Learned counsels appearing on behalf of the State in the above matters submit that in the event, a compromise is arrived at between the private parties. The State would not come in the way.

Learned counsel for the State in CRRs 303, 305, and 306 of 2019 submits that the allegations under Sections 313 or 325 or 326 of the Indian Penal Code do not appear to have been made out in the respective/applicable cases.

I have heard the submissions of the learned

counsels appearing on behalf of the parties and have perused the respective revisional applications, joint compromise applications and the case diaries.

On an earlier occasion, I have perused the original case diaries and have also interacted with the victims/informants in each of the four cases after they were identified by the respective Investigating Officers.

It appears that 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. After a careful perusal of the revisional applications and materials on record and as submitted by the learned counsels for the State, it does not appear that any case was made out under Section 313 or Section 325 or Section 326 of the Indian Penal Code in the applicable proceeding.

In view of the above and in the interest of justice, I quash the impugned proceeding on the ground of settlement in the following four cases namely,

- (1) Dum Dum PS Case No. 787 of 2018 dated 06.09.2018 ;
- (2) Dum Dum PS Case No. 58 of 2018 dated 27.01.2018 ;
- (3) Shyampukur PS Case No. 60 of 2018 dated 25.04.2018 ; and
- (4) Dum Dum PS Case No. 113 of 2018 dated

18.02.2018.

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.)