

Form J(1)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

CRR 1225 of 2021

**Smt. Amalika Chakraborty (Biswas) & Ors.
Vs.
The State of West Bengal & Anr.**

**For the petitioner : Mr. Debasis Kar, Adv.,
Mr. Arka Tilak Bhadra, Adv**

**For the State : Mr. Saswata Gopal Mukherjee, Ld. P.P.,
Ms. Faria Hossain, Adv.**

**Heard &
Judgement on : 13.07.2022.**

Bibek Chaudhuri, J.

A joint petition for compromise has been filed by the parties to compound the offence on the ground that the dispute has been amicably settled.

This Court directed the Investigating Officer to record a statement of the *de facto* complainant to ascertain as to whether the dispute has been settled on compromise. The Investigating Officer recorded the statement of the *de facto* complainant, on perusal of which, I find that she supports the contents of the joint petition for

compromise. The Learned Public Prosecutor, High Court, Calcutta is also not against the principle that the matrimonial disputes should be tried to be settled and where the opportunity is available the Court should not be hesitant to settle the dispute incorporating the provision under Section 482 of the Code of Criminal Procedure but the allegation against the petitioner discloses an offence under the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

In reply, Mr. Kar, Learned Advocate for the petitioner refers to a decision of the Hon'ble Supreme Court in ***Jitendra Raghuvanshi & Ors. -Vs.- Babita Raghuvanshi & Anr.*** decided on 15th March, 2013 vide Criminal Appeal No. 447/2013 holding, *inter alia*, that if the allegation under any penal provision under the Scheduled Caste and Scheduled Tribe Prevention of Corruption Act arises out of a matrimonial dispute the High Court has the inherent power to settle the dispute when the parties have arrived at compromise.

In view of such circumstances and considering the ratio of the above-mentioned decision, the application for joint compromise filed by both the parties is allowed. The Trial Court is directed to compound the offence on the basis of the order passed by this Court. The application and the revision is, accordingly, disposed of.

(Bibek Chaudhuri, J.)