

23.02.2022
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SB
Ct. No.39

CRR 1524 of 2021
CRAN 1 of 2021

In the matter of : Shashank Shekhar

Mr. Satarup Purkayastha
Mr. Amitava Bhowmik ... for the petitioner

Mr. S.G. Mukherjee, Ld. P.P.
Mr. Anwar Hossain
Mr. M.F.A. Begg ... for the State

Mr. Arindam Paul
Mr. Puna Mukherjee ... for the O.P. No. 2

This is an application seeking an expeditious disposal of a proceeding in a complaint case under Sections 323, 498A of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the husband of the de facto complainant / opposite party no. 2. During pendency of the proceeding a compromise and settlement has been arrived at between the private parties of all disputes that had led to the registration of the F.I.R. and a joint compromise application have been preferred in this regard.

Learned counsel appearing on behalf of the de facto complainant / victim submits as follows. The dispute between the parties has indeed been amicably settled and the petitioner and the opposite party no. 2 are staying together at present. In view of the same the impugned proceeding ought to be quashed on the ground of compromise.

Learned counsel appearing on behalf of the State relies on the case diary and files a copy of the subsequent statement of the

victim lady recorded by the investigating agency. The same is taken on record. He submits that from the statement it appears that a settlement has indeed been arrived at between the parties. So far as the alleged injury is concerned, there is a document available in the case diary which shows that there was an injury suffered by the victim due to slipping on the floor. He submits that 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 petitioner, the State and the opposite party no. 2 and have perused the revision petition, the case diary and the subsequent statement of the victim girl recorded under Section 161 of the Code.

It appears that a compromise and settlement has been arrived at between the private parties of all disputes that had led to the initiation of the present proceeding.

In my view, this is a fit case for quashing of the impugned proceeding on the ground of compromise as per the ratio laid down by the Hon'ble Apex Court in the case of *Gian Singh vs. State of Punjab reported in (2012)10 SCC 303*.

In view of the above, I quash the impugned proceeding on the ground of settlement arrived at between the private parties.

With these observations, the revisional application along with the connected application is disposed of.

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

(Jay Sengupta, J.)