

Form No. J(2)

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

Present:

The Hon'ble Justice Jay Sengupta

C.R.R. 2092 of 2021

CRAN 1 of 2021

Sher Bahadur Jaiswal

-vs-

The State of West Bengal & Ors.

For the Petitioner : Mr. Koustav Bagchi
Mr. Debayan Ghosh
Ms. Priti Kar

For the Opposite party No. 3 : Mr. Aniruddha Bhattacharya

For the State : Mr. Sudip Ghosh
Mr. Bitasok Banerjee

Heard on : 06.04.2022

Judgment on : 06.04.2022

Jay Sengupta, J.:

This is an application for quashing of a criminal proceeding being G.R. Case No. 1523 of 2017 presently pending before the

learned Judicial Magistrate, 4th Court, Durgapur, Paschim Bardhaman in which a charge-sheet was submitted under Section 379 of the Indian Penal Code and Sections 37, 51, 63 and 65 of the Copyright Act.

Learned counsel appearing on behalf of the accused petitioner submits as follows. During pendency of the proceeding, a compromise and settlement was arrived at between the private parties of all disputes that had led to the initiation of the impugned proceeding. The parties have decided to bury the hatchet and move forward. In view of the compromise, the impugned proceeding may be quashed.

Learned counsel appearing on behalf of the defacto-complainant/opposite party submits as follows. A compromise has indeed been arrived at between the private parties of all disputes that had led to the registration of the First Information Report. In fact, the case was a result of temporary misunderstandings between the private parties. This is purely a private dispute between two parties and therefore, the impugned proceeding may be quashed on the ground of compromise and settlement.

Learned counsel appearing on behalf of the State relies on the case diary and submits that the State would not come in the way if a

compromise is arrived at between the private parties.

I have heard the submissions of the learned counsels appearing on behalf of the petitioner, the private opposite party and the State and have perused the revision petition, the joint compromise application and the case diary.

It appears that a compromise and settlement has indeed been arrived at between the accused and the complainant/victim of all disputes that had led to the initiation of the impugned proceeding.

The allegations contained in the complaint pertain to purported commercial dispute between private parties.

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

Accordingly CRR 2092 of 2021 and CRAN 1 of 2021 are 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.)