

15.02.2023

Sl. No. 01

Srimanta

Ct.No. 42

IA No.:CRAN/3/2022
in
CRR/1696/2022

In the matter of : **Kinjal Desai**

Mr. Ayan Bhattacharjee, Adv.,
Mr. Aniruddha Mukherjee, Adv.,
Mr. Meghajit Mukherjee, Adv.

...for the petitioner.

Mr. Jaydeep Biswas, Adv.

...for the opposite party no. 2.

Having been convicted in connection with GR Case No. 800/2014 for the offence punishable under Section 509 of the Indian Penal Code which was affirmed in Criminal Appeal No. 208/2019 by the learned Additional Sessions Judge, 1st Fast Track Court at Bichar Bhawan, the parties being the convict and the de facto complainant have arrived at an amicable settlement. Both the parties have filed a joint petition for compromise stated, inter alia, that the dispute has been amicably settled by and between the parties and the de facto complainant has no objection if the order of conviction and sentence passed against the petitioner is condoned. This Court passed an order directing the Investigating Officer of this case to ascertain as to whether the said out of Court settlement was arrived at by the parties under any undue influence, coercion or threat. The de facto complainant has made a statement recorded by the Investigating Officer where she stated that she voluntarily settled the dispute out of Court. Thus, two factual situations are present before this Court. First, the petitioner was convicted for the offence punishable under Section 509 of the Indian Penal Code and

secondly, after being convicted she and the de facto complainant settled the matter out of Court.

In view of such circumstances when both the de facto complainant and the accused have settled the dispute between the parties, leave is granted to compound the offence under Section 509 of the Indian Penal Code.

In view of such compounding the petitioner be acquitted of the charge, set at liberty release from her bail bond.

(Bibek Chaudhuri, J.)