

18.05.2023

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CRR 1950 of 2014

With

CRAN 11 of 2023

In Re : Suvankar Chakraborty & Ors.

.... for the petitioners.

Mr. Prabir Mitra

Ms. Ariba Shahab

.... for the petitioners.

Ms. P. Priyadarshee

..... for the opposite party.

The petitioners filed an application under Section 482 of the Code of Criminal Procedure being aggrieved by the order of learned Judicial Magistrate, 3rd Court, Bishnupur, District Bankura taking cognizance of the complaint case being No.19-C/2014 under Sections 498A/506/354/34 of the Indian Penal Code and prayed for quashing of the said proceedings based on the grounds mentioned therein.

The petitioner No.1 and the opposite party married on 12.05.2012. Thereafter, disputes on different quarters arose between the parties. Opposite party i.e. wife complained of physical and mental torture being inflicted upon her and filed the complaint dated 29.01.2014.

After a passage of years the parties resolved their disputes amicably between each other and filed an application of joint compromise under Section 320(6) of the Code of Criminal

Procedure, 1973 read with Section 482 of the Code of Criminal Procedure being CRAN 11 of 2023. It has been contended by both the parties that the misunderstanding and miscommunication generated between them have been resolved within time and intervention of friends and well-wishers.

Relying on the observation of the Hon'ble Supreme Court in (i) **Gian Singh vs. State of Punjab & Anr.**¹ (ii) **Parbatbhai Aahir @ Parbatbhai Bhimsinghbhai Karmur & Ors. Vs. State of Gujrat & Anr.**² and (iii) **Madan Mohan Abbot vs. State of Punjab**,³ the criminal proceedings in the instant case can be quashed on the basis of a compromise between the parties where the disputes are personal in nature inclusive of private disputants without public interest being affected.

Therefore, the instant criminal revisional application if allowed to be continued will result in unnecessary consumption of Court hours without yielding justified result.

Considering the nature of dispute and the provisions of Section 320(2) of the Code of Criminal Procedure and the inherent power based under Section 482 of the Code of Criminal Procedure, the proceedings in connection with complaint case No. 19-C of 2014 under Sections 498A/506/354/34 of the Indian Penal code, 1860 is quashed.

¹ (2012)10 supreme court cases 303

² (2017)9 supreme court cases 641

³ 2008 CRI. L.J. 2243

Both the parties shall approbate the aforesaid terms of settlement dated 10.05.2023 shall remain bound by the same.

Accordingly, the revisional application and connected application are disposed of.

(Ananya Bandyopadhyay, J.)