

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL**

Cril Petn No.26 of 2024 with
MC (Cril Petn) No.21 of 2024

Sandeep Bakshi & Anr ... Petitioners

-Versus-

Amarjit Koijam & 3 Ors ... Respondents

BEFORE
HON'BLE MR. JUSTICE A.GUNESHWAR SHARMA
25.09.2025

Present Mr.T.Momo, learned senior counsel along with Mr.Biswajit Roy, learned senior counsel and Ms.Diana, learned counsel for the petitioners and Mr.M.Rarry, learned senior counsel assisted by Ms.Nikita, learned counsel for the respondent No.1. The other respondents do not appear despite proper service.

By the present criminal petition under Section 482 of the Code of Criminal Procedure 1972 the petitioner approached this Court for setting aside/quashing the proceedings of Criminal (Complaint) Case No.12 of 2023 pending before the learned Chief Judicial Magistrate, Imphal East.

Respondent No.1 herein filed a criminal (Complaint) Case No.12 of 2023 before the Court of learned CJM, Imphal East under Sections 403, 406, 408, 409, 418, 420, 120B and 34 of the IPC, 1860 against the petitioners herein and respondent Nos.2, 3 and 4. The petitioner No.1 is the Managing Director and CEO of the ICICI Bank, Mumbai and petitioner No.2, Mr.Asem Robert is the Regional Head of

ICICI Bank, Manipur State, are accused Nos.1 and 2 and respondent Nos.2, 3 and 4 are accused Nos.3, 4 and 5 in the criminal complaint initiated by respondent herein.

The allegation in the complaint is that a sum of Rs.16,50,000/- deposited by the petitioner in his ICICI Saving Bank Account No.332901501197 at ICICI Bank, Mantripukhri Branch have not been credited by the employees of the Bank. In the circumstance, vide order dated 4.11.2023, learned Chief Judicial Magistrate, Imphal East took cognizance of the accused persons herein.

It is submitted that during pendency of the present petition, complainant and petitioner Nos.1 and 2, who are accused Nos.1 and 2 have entered into a settlement dated 22.08.2025 finally settling the dispute among the complainant and petitioners herein and an amount of Rs.16,50,000/- has been credited in the ICICI Saving Bank Account No.332901501197 of the complainant/respondent herein.

Mr.T.Momo, learned senior counsel for the petitioners submits that petitioner No.1 being the Head of the ICICI Bank, Mumbai and petitioner No.2 being Regional Head, ICICI Bank, Manipur State, have no direct involvement in the alleged offence/complaint of respondent No.1 herein. Mr.Momo, learned senior counsel for the petitioners relies on the three Judge Judgment of the Hon'ble Supreme Court reported in **Gian Singh Vs State of Punjab & Anr : (2012) 10 SCC 303** wherein it is held that, once dispute is settled between the parties, criminal proceedings can be quashed and continuation of criminal complaint where there is no possibility of conviction will be abuse of process of law. The judgment of **Gian Singh (supra)** is relied in the case of **Narinder Singh & Ors Vs State of Punjab & Anr: (2014) 6 SCC 466**.

Mr.M.Rarry, learned senior counsel for the complainant, respondent No.1 submits that settlement is with the petitioner No.1 and petitioner No.2 alone to the effect that they are not actively involved with the management of the ICICI Bank, at Mantripukhri Branch in Manipur and settlement is confined to the petitioner Nos.1 and 2 and complainant.

Considering the settlement between the parties after crediting the amount with the repayment of the disputed amount of Rs.16,50,000/- to the account of respondent No.1 herein, this Court is of the opinion that the criminal proceeding against the petitioner Nos.1 and 2, who are accused Nos.1 and 2 in Cril (Complaint) Case No.12 of 2023 will be an abuse of process of law and such the same, which is pending before the court of learned CJM, Imphal East is quashed qua accused Nos.1 and 2.

This Court does not express any opinion on the merit of the case apart from the settlement between the parties. Accordingly, the Cril Petition is disposed of. Interim order, if any, merged with the final order.

Registry is directed to forward copy of this order to Court of learned CJM, Imphal East.

**Cril Petn No.28 of 2024 with
MC (Cril Petn) No.22 of 2024**

Sandeep Bakshi & Anr ... Petitioners

-Versus-

Thokchom Leibakleima Devi &
Anr ... Respondents

Present Mr.T.Momo, learned senior counsel along with Mr.Biswajit Roy, learned senior counsel and Ms.Diana, learned counsel for the petitioners and Mr.M.Rarry, learned senior counsel assisted by Ms.Nikita, learned counsel for the respondent No.1. None appear for respondent Nos.2 and 3 despite proper service.

The petitioners approached this Court for quashing of Criminal (Complaint) Case No.13 of 2023 pending before the Court of learned Chief Judicial Magistrate, Imphal East.

Respondent No.1 herein filed a criminal (Complaint) Case No.13 of 2023 against the petitioners, respondent Nos.2 and 3 under Sections 403, 406, 408, 409, 418, 420, 120B and 34 of the IPC, 1860 for taking cognizance.

It is alleged that respondent No.1 took gold loan from the ICICI Bank, Mantripukhri Branch amounting to Rs.4,65,000/- at the interest rate of 11% per annum having a tenure of 12 months by depositing gold ornaments weighing 163.00 (14 tolas approx.) However at the time of transferring the loan account in the name of the Respondent No.1's husband, noticed that some of the gold ornaments were missing, which is stated to be recovered later on. In the circumstance respondent No.1 filed complaint case before the learned CJM, Imphal East. Vide order dated 6.7.2023 in Cril (Complaint) Case No.13 of 2023 took cognizance against the present petitioner herein who is accused No.1, Petitioner No.2, respondent No.2, respondent No.2 accused No.3 and respondent No.3 accused No.4.

While the present petition preferred by the accused/petitioner Nos.1 and 2 is pending, the complainant and petitioners have arrived into a settlement on 6.6.2025.

Mr.T.Momo, learned senior counsel for the petitioners submits that petitioner No.1 being the Head of the ICICI Bank, Mumbai and petitioner No.2 being Regional Head, ICICI Bank, Manipur State, Mantripukhri, have no direct involvement in the alleged offence/complaint of respondent No.1 herein. Mr.Momo, learned senior counsel for the petitioners relies on the three Judge Judgment of the Hon'ble Supreme Court reported in **Gian Singh Vs State of Punjab & Anr : (2012) 10 SCC 303** wherein it is held that, once dispute is settled between the parties, criminal proceedings can be quashed and continuation of criminal complaint where there is no possibility of conviction will be abuse of process of law. The judgment of **Gian Singh (supra)** is relied in the case of **Narinder Singh & Ors Vs State of Punjab & Anr: (2014) 6 SCC 466**.

Mr.M.Rarry, learned senior counsel for the complainant, respondent No.1 submits that settlement is with the petitioner No.1 and petitioner No.2 alone to the effect that they are not actively involved with the management of the ICICI Bank, Mantripukhri Branch in Manipur and settlement is confined to the petitioner Nos.1 and 2 and complainant.

Considering the settlement between the parties after returning the gold and compensation for some missing gold ornaments to respondent No.1 herein, this Court is of the opinion that the criminal proceeding against the petitioner Nos.1 and 2, who are accused Nos.1 and 2 in Cril (Complaint) Case No.13 of 2023 will be an abuse of process of law and such the same, which is pending before the court of learned CJM, Imphal East is quashed qua accused Nos.1 and 2.

This Court does not express any opinion on the merit of the case apart from the settlement between the parties. Accordingly,

the Cril Petition is disposed of. Interim order, if any, merged with the final order.

Registry is directed to forward copy of this order to Court of learned CJM, Imphal East.

JUDGE

Priyojit

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SINGH

Digitally signed
by RAJKUMAR
PRIYOJIT SINGH
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