

03 &04
NB
11.02.2021
Ct. No. 32

CRR 1309 of 2018
CRAN 5 of 2021

In the matter of:- M/s. Shriram Housing Finance Ltd. ...petitioner

With

CRR 2450 of 2018
CRAN 1 of 2021

In the matter of:- Sujan Sinha & Ors. ...petitioners

Mr. Sabir Ahmed,
Mr. Sayak Ranjan Ganguly,
Mr. Shraman Sarkar.
....for the petitioner.

Mr. Pawan Kumar Gupta
...for the OP.

Ms. Faria Hossain,
Ms. Baisali Basu.
...for the State.

As the two revisional applications being CRR 1309 of 2018 and CRR 2450 of 2018 arise out of the same proceeding, they are taken up for hearing together.

These are applications praying for quashing of a proceeding in complaint cases being Complaint Case No.8426 of 2017 presently pending before the learned Metropolitan Magistrate, 18th Court, Kolkata under Sections 406, 418, 420 read with Section 120B of the Penal Code.

Learned Counsels appearing on behalf of the petitioners in CRR 1309 of 2018 and CRR 2450 of 2018 submits as follows. The petitioners in the two revisions are the accused in these cases. During pendency of the present proceeding, a compromise and settlement has been arrived at between the private parties of all disputes that had led to the initiation of the impugned proceeding. The dispute was purely private in nature. The

complainant has received all his dues and the documents in question from the accused/petitioners and has decided to settle the disputes. In the interest of justice, the impugned proceeding ought to be quashed on the ground of compromise.

Learned Counsel appearing on behalf of the complainant in the two revisions submits as follows. A compromise and settlement has indeed been arrived at between the accused and the complainants and joint compromise applications have been filed as regards the two revisions. The complainant has received all the sums and the documents that were due. In view of the above the impugned proceedings should be quashed on the ground of compromise and settlement.

I have heard the submissions of the learned Counsels appearing for the parties and have perused the two revision petitions and the joint compromise applications.

It appears that the accused and the complainant have settled their disputes and necessary payments and return of documents have taken place.

The disputes involved seem to be of private nature.

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

With these observations, the two revisional applications and the connected applications 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.)