

**25.04.2022**

Item No.53  
Ct.No.34  
dc.

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

**C.R.R. 2129 of 2019**

**Ayursundra Healthcare Pvt. Ltd. & Ors.  
versus  
India Infoline Finance Limited**

**In Re:** An Application under Section 482 of the Code of Criminal Procedure, 1973 filed for quashing of proceedings being Case No. CS/20763 of 2019 under Sections 420/406/120B of the Indian Penal Code pending before learned Metropolitan Magistrate, 16<sup>th</sup> Court, Calcutta.

Mr. Debrup Bhattacharjee,  
Mr. Tirthankar Dey ... For the Petitioners.

Mr. Imran Ali,  
Ms. Debjani Sahu ... For the State.

Affidavit-of-service filed in Court today be kept on record.

The present revisional application was preferred challenging the proceedings being Case No. CS/20763 of 2019 under Sections 420/406/120B of the Indian Penal Code pending before learned Metropolitan Magistrate, 16<sup>th</sup> Court, Calcutta.

The subject matter of the allegations in the petition of complaint relates to a loan disbursement of rupees seven crore and an outstanding of rupees 1.62 crore. Earlier it was submitted on behalf of the petitioners that the said loan account has been closed. Consequently by an order dated 30.03.2022, a report was called for from the Officer-in-Charge, Shakespeare Sarani Police Station regarding the submissions made by the learned advocate appearing for the petitioners.

Let the report dated 12.04.2022 submitted by Officer-in-Charge, Shakespeare Sarani Police Station be kept on record.

The said report reflects that IIFL Finance Limited has closed the loan account No. HC1215.

Having regard to the report so submitted and the nature of the allegations more particularly the fact that the criminal proceedings was set in motion for recovery of outstanding amount, I am of the opinion that no case under Sections 420/406 of the Indian Penal Code is made out. As such, all further proceedings being Case No. CS/20763 of 2019 under Sections 420/406/120B of the Indian Penal Code pending before the learned Metropolitan Magistrate, 16<sup>th</sup> Court, Calcutta and the order of issuance of process are hereby quashed.

Accordingly, the revisional application being CRR 2129 of 2019 is allowed.

Interim order, if any, is hereby made absolute.

All pending connected applications, if any, are consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

**(Tirthankar Ghosh, J.)**