

15.02.2022

Item No.27
Ct.No.34
dc.

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

**C.R.R. 2562 of 2019
with
CRAN 1 of 2021
(Via Video Conference)**

**Mr. Biren Bhusan Nag & Ors.
versus
State of West Bengal & Anr.**

In Re: An Application under Section 482 of the Code of Criminal Procedure, 1973 filed for quashing of the proceedings being Complaint Case No. C-297 of 2017 under Sections 406/420/34 of the Indian Penal Code, 1860 pending before the learned Judicial Magistrate, 5th Court, Sealdah.

Mr. Souradeep Banerjee ... For the Petitioners.

Mr. Satadru Lahiri ... For the Opposite Party No.2.

The petitioners and the opposite party no.2 have preferred a joint compromise petition, *inter alia*, praying for compromise and quashing the proceedings being Complaint Case No. C-297 of 2017 under Sections 406/420/34 of the Indian Penal Code pending before the learned Judicial Magistrate, 5th Court, Sealdah. A Memorandum of Settlement has been enclosed along with the joint compromise petition.

Mr. Lahiri, learned advocate appearing for the opposite party no.2 has submitted photostat copies of the acknowledgement of the Pay Order and the bank statement of Kotak Mahindra Bank wherein an amount has been credited by the accused persons. Let the said photostat copies be kept on record.

The nature of the offence complained of is under Sections 406/420/34 of the Indian Penal Code. No public policy is involved and the dispute is private and personal in nature being commercial transactions. Having regard to the compromise which has been effected, I am of the opinion that further continuance of the proceedings being Complaint Case No. C-297 of 2017 under Sections 406/420/34 of the Indian Penal Code pending before the learned Judicial Magistrate, 5th Court, Sealdah is unwarranted and accordingly, the said proceedings are hereby quashed.

With the aforesaid observations, the revisional application being CRR 2562 of 2019 along with CRAN 1 of 2021 is allowed.

Interim order, if any, is made absolute.

All other 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.)