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Ct 2023
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CRR 64 of 2017
IA NO: CRAN 4 of 2023

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**Praveen Kumar Bhikamchand Agarwal @ Praveen
Agarwal
The State of West Bengal & Anr.**

Mr. Ritoban Sarkar,
Mr. Aman Agarwal,
Mr. Avishek Das. ... for the petitioner.

Mr. Sayak Ranjan Ganguly,
Ms. Srijani Ghosh, ... for the O.P No.2.

1. Both the learned advocates appearing on behalf of the parties to this revisional application are present.
2. A joint compromise petition has been filed by the petitioner and the opposite party No.2 with a prayer for quashing of the proceeding on account of settlement between the parties.
3. This revisional application was filed with a prayer for quashing of the proceeding of Case No.CS-0050021 of 2016 corresponding to CS No.823 of 2016 arising out of TR No.7014 of 2016 under Sections 406/418/420/120B of the Indian Penal Code pending before the learned Metropolitan Magistrate, 19th Court, Calcutta.
4. The case was initiated in the year 2017 while opposite party No.2 through his authorised

representative filed a complaint under Section 200 of the Code of Criminal Procedure alleging default in payment of loan giving rise to an offence under Sections 406/420/120B of the Indian Penal Code. The instant revisional application was filed with a prayer for quashing that proceeding initiated at the instance of opposite party no.2/HDB Financial Services Limited.

5. Subsequently, the disputed amount has been settled between the parties and the instant joint compromise petition has been filed with a prayer for quashing the impugned proceeding of the complaint case.
6. Considering the facts and circumstances, I am not standing in the way of compromise between the parties with regard to the case arose out of default in payment of loan. That apart, all the offences alleged in this case are compoundable within the meaning of Section 320 of the Code of Criminal Procedure.
7. Considering all facts and circumstances mentioned hereinabove, the **CRAN 4 of 2023** stands allowed.
8. Proceeding of complain case No.CS-0050021 of 2016 corresponding to CS No.823 of 2016 arising out of TR No.7014 of 2016 under

Sections 406/418/420/120B of the Indian Penal Code pending before the learned Metropolitan Magistrate, 19th Court, Calcutta stands quashed.

9. With the aforesaid observation, **CRR 64 of 2017** stands disposed of.

10. Interim order, if there be any, also stands vacated.

11. All parties to this revisional application shall act on the server copy of this order downloaded from the official website of this Court.

12. Urgent photostat certified copy of the order, if applied for, be given to the parties on usual undertakings.

(Bibhas Ranjan De, J.)