

June 12, 2023  
AD -37  
Ct. 34  
SG

*CRR 790 of 2022*  
*with*  
*CRAN 4 of 2022*  
*CRAN 5 of 2023*

*M/s Aadarsh Tradlink Ltd. and others*  
*-versus-*  
*The State of West Bengal and another*

Mr. P.P. Dasgupta  
Mr. Ashish Chowdhury  
Mr. Nishant Shukla  
Ms. Uma Bagree

... for the petitioners

Mr. Imran Ali  
Ms. Manisha Sharma

... for the State

Mr. Mrityunjoy Chatterjee  
Mr. V.N. Jha

... for the OP No.2

The present revisional application was preferred challenging the continuance of the proceedings being Case No.CS 68150 of 2021 under Sections 418/420/421 406/467/468/120B IPC pending before the learned Metropolitan Magistrate, 5<sup>th</sup> Court, Calcutta.

The issues which were canvassed by the petitioners who were accused persons in the revisional application were regarding commercial and continuous transactions having taken place between the parties. On the other hand, the complainant's allegation in the petition of complaint related to certain outstanding which was not paid.

The said application being CRAN 5 of 2023 and a photostat copy of the document have been enclosed wherein it has been signed by the signatories on behalf of both the parties and the said document has been described as composite memorandum of settlement.

Paragraph 2 relating to the “chapter 4 – resolution of departments” relates to the instalments which have been paid by the accused persons to the complainant aggregating to a sum of Rs.25,00,000/- which has been admitted by the complainant.

Having regard to the nature of the case which has been filed and the parties arrived at a settlement and that no public policy is involved, further continuance of the proceedings is unwarranted because settlement has been arrived at between the parties.

Accordingly, all further proceedings relating to case No.68150 of 2021 pending before the learned Metropolitan Magistrate, 5<sup>th</sup> Court, Calcutta including the orders passed therein are hereby quashed.

Thus, CRR 790 of 2022 along with CRAN 5 of 2023 is allowed.

Pending application, if any, is consequently disposed of.

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

**( Tirthankar Ghosh, J. )**

