

09.01.2023

Sl. No. 06

Srimanta

Ct.No. 42

IA No. : CRAN/1/2023

in

CRR/1283/2022

In the matter of : **Shraboni Dutta & Anr.**

Mr. Milon Mukherjee, Sr. Adv.,
Md. Sabir Ahamed, Adv.,
Md. Abdur Rakib, Adv.

...for the petitioners.

Mr. Ranabir Roy Chowdhury, Adv.,
Mrs. Anasuya Sinha, Adv.,
Mr. Pinak Kumar Mitra, Adv.

...for the State.

Mr. Soumya Basu Roy Chowdhury, Adv.,
MR. R. K. Priyanka Devi, Adv.

...for the opposite party no. 2.

This is a joint petition for compromise in respect of BGR Case No. 5395/2018 corresponding to Jibantala Police Station Case No. 534/2018 dated 1st December, 2018 under Sections 420/406 of the Indian Penal Code.

At the outset, the learned Advocate-on-record has prayed for certain corrections of the cause title of the instant revision. The prayer is allowed.

The application for joint compromise is taken up for hearing. Learned Public Prosecutor-in-Charge has submitted a Police report along with the statement of the *de facto* complainant recorded under Section 161 of the Code of Criminal Procedure. It is ascertained from the said statement that the *de facto* complainant filed the above-mentioned Police case against the petitioner due to certain monetary dispute in course of business transaction. It is specifically stated by the *de facto* complainant that he has already

received the entire money and, therefore, he does not want to proceed with the instant case.

Criminal cases relating to commercial transactions are allowed to be settled in view of the decision of the Hon'ble Supreme Court in ***Parbatbhai Ahir -Vs.- The State of Gujarat*** reported in ***2018 Vol. 1 SCC (Cri) 1***.

The instant dispute absolutely arises out of commercial transaction. Therefore, the matter can be settled out of Court. In view of such discussion and relying on the above-mentioned decision of the Hon'ble Supreme Court, this Court accepts the joint petition for compromise. In view of acceptance of joint petition for compromise nothing remains in BGR Case No. 5395/2018 presently pending before the learned Additional Chief Judicial Magistrate at Alipore, South 24-Parganas.

Therefore, BGR Case No. 5395/2018 be quashed.

The accused persons/petitioners be discharged from their bail bond.

(Bibek Chaudhuri, J.)