

17.02.2023
S/L No.12
KS

C.R.R. 970 of 2021
With
IA No. CRAN 1 of 2023
M/s. Bausch & Lomb India (P) Ltd. & Ors.
-Vs.-
M/s. Bajrang Pharmaceuticals represented by its proprietor Shree
Kumar Bhatte

Mr. Avik Ghatak
Mr. Sagnik Mukherjee
.....For the Petitioners
Mr. Pawan Kumar Agarwal
Ms. Priyanka Agarwal
Ms. Vedika Surekha
.....For the O.P.

The present case was initiated at the instance of the opposite party namely, M/s. Bajrang Pharmaceuticals against the petitioner no.1/ M/s. Bausch & Lomb India (P) Limited and its responsible officers being the petitioner nos.2 to 9. Subsequently, there has been a compromise and an amicable settlement and an application has been preferred at the instance of the petitioners who are accused persons and the opposite party who happens to be the complainant wherein prayer has been advanced by both the parties for quashing of the proceedings arising out of Complaint Case No.CN/69/21 which is pending before the learned Metropolitan Magistrate, 13th Court, Calcutta.

Mr. Ghatak, learned advocate appearing for the petitioners and Ms. Priyanka Agarwal learned advocate appearing for the complainant/opposite party submits that an application being, IA No.

CRAN No.1 of 2023 has been filed wherein prayers have been advanced for quashing of the proceedings. On perusal of the said application I am of the view that further continuance of the proceedings relating to certain commercial transactions which have been compromised by and between the parties may be causing miscarriage of justice.

Accordingly, all further proceedings arising out of Complaint Case No.CN/69/21 which is pending before the learned Metropolitan Magistrate, 13th Court, Calcutta as also the orders passed therein are hereby quashed against all the petitioners.

Thus, C.R.R. 970 of 2021 is disposed of.

Pending applications, if any, are consequently disposed of.

All parties are directed to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

(Tirthankar Ghosh, J.)