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CRR 1925 of 2017

**Akhilesh Khotla
Versus
State of West Bengal & Anr.**

Mr. S. K. Pathak,
Mr. Ranjan Kali ... for the petitioner.

Mr. Rudradipta Nandy, Ld. A.P.P.
Ms. Sonali Das. ... for the State.

The status report filed by the State be kept with the record.

This revisional application has been filed with a prayer for quashing the proceeding in connection with Bowbazar Police Station Case No. 576 dated 29.09.2012 under Sections 406/420/506/120B of the Indian Penal Code.

This is a case, de-facto complainant/opposite party no.2 being a contractor wanted to purchase some power transformer to carry out some contractual work and accordingly he put some order for supply of power transformer by the petitioner. In this regard de-factor complainant issued two cheques of Rs.5,00,000/- each on 17.03.20007 and 20.08.2007, but no transformer was supplied to the opposite party no.2 by the petitioner and he was again asked to pay Rs. 10,00,000/-. But ultimately the transformer was not supplied. Thereafter opposite party no.2 lodged a complaint before the Officer-

in-Charge which was registered as Bowbazar Police Station Case No. 576 dated 29.09.2012 under Sections 406/420/506/120B of the Indian Penal Code against the petitioner.

Mr. Ranjan Kali, learned advocate appearing on behalf of the petitioner has submitted that matter has already been settled by full and final payment as it appears from the receipt dated 31.08.2012. Alternatively, learned advocate appearing on behalf of the petitioner has submitted that the dispute is purely a civil in nature and no criminal action lies.

Mr. Rudradipta Nandy, learned advocate appearing on behalf of the State has appeared and filed a status report along with a statement of opposite party no.2 wherefrom it is found that matter has been settled between the parties and he received Rs.5,00,000/- as final and full settlement amount.

Considering the settlement of the dispute by between the parties, I find no reason to proceed with this proceeding further otherwise it would result in abuse of process of court.

To secure ends of justice the proceeding between the parties in connection with Bowbazar Police Station Case No. 576 dated 29.09.2012 under Sections 406/420/506/120B of the Indian Penal Code stands quashed.

With the observation, the revisional application

stands disposed of.

Pending application, if any, also stands disposed of.

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

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

(Bibhas Ranjan De, J.)