

11-10-2023
Subha
Item no. 59
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 2596 of 2023
CRAN 1 of 2023

Nitu Shaw and another
-versus-
The State of West Bengal and Anr.

Mr. Abhirup Chakraborty
.....for the petitioners.

Mr. Ankit Agarwala
Mr. Niloy Sengupta
..for the opposite party no.2.

Mr. S. G. Mukherjee, ld. PP
Mr. Anwar Hossain
Mrs. Manisha Sharma
...for the State.

Report submitted by the Inspector-in-Charge, Purulia(M)
Police Station including the statement and a communication made
by the authorized signatory which has been enclosed along with the
report be kept with the record.

The contents of the statement and the declaration reflect
that there has been an amicable settlement between the petitioners
who happen to be the accused persons and the de facto
complainant. The case was registered for alleged offences of
cheating and criminal breach of trust. On conclusion of
investigation chargesheet was submitted before the jurisdictional
court.

Having considered the substance of the case which is

primarily private and personal in nature without any public policy being involved, I am of the opinion that further continuance of Purulia(M) P. S Case No. 65/2017 dated 21-03-2017 as also the chargesheet submitted in connection with the said case which is pending presently before the learned Chief Judicial Magistrate, Purulia would result in an abuse of the process as post settlement chances of conviction are bleak.

Accordingly, all further proceedings arising out of Purulia (M) Case No. 65/2017 dated 21-03-2017 including the chargesheet submitted therein as also the orders subsequent to the chargesheet being passed is hereby quashed. Consequently, CRR No 2596 of 2023 along with CRAN 1 of 2023 is allowed.

The Managing Director of the company namely Bharat Hi Tech Cements Private Limited is personally present in court. His further appearance consequent to the aforesaid order is dispensed with.

With the aforesaid observations, the present revisional application being CRR 2596 of 2023 along with CRAN 1 of 2023 is disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]

