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18.10.2023
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C.R.R.3915 of 2022
With
CRAN 2 of 2023
With
CRAN 3 of 2023

In Re: An application under Section 482 read with Section 402 of the
Code of Criminal Procedure, 1973;

M/S Hero MotoCorp Limited(HMCL) and others
Versus
The State of West Bengal and another

Mr. Sekhar Kumar Basu
Mr. Nilanjan Sen
Mr. Amit Pan
Mr. Debarshi Das.
...for the petitioners.

Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan.
...for the State.

Mr. Prithvijoy Das
Mr. Ronit Mukherjee.
...for the opposite party no.2.

Report submitted by Mr. Arijit Ganguly, learned advocate
appearing for the State be kept with the record.

The report encloses the statement as well as the
communication made to the Investigating Officer of the case. During
the pendency of the investigation, petitioners and the de facto
complainant have amicably settled the dispute. The dispute was
with respect to certain commercial transactions which took place
between the parties. No public policy is involved.

A joint compromise application being CRAN 3 of 2023

has been filed. The joint compromise application encloses the settlement agreement. In the settlement agreement the de facto complainant has categorically averred that they have no intention to pursue with the case being Kharagpur Local Police Station Case No.699 of 2022 dated 29.08.2022 and they have no objection if the same is quashed.

Having regard to the contention so advanced in the joint compromise application, the statement before the Investigating Officer and the totality of the circumstances which involve commercial transaction between the parties, I am of the view that further continuance of the present case being Kharagpur Local Police Station Case No.699 of 2022 dated 29.08.2022 under Sections 406/420/465/467/468/120B of the Indian Penal Code is unwarranted, as such, the same is hereby quashed.

Accordingly, CRR 3915 of 2022 along with CRAN 3 of 2023 is allowed.

Pending applications, if any, are consequently disposed of.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)

