

CRR 4113 of 2009
CRAN 1 of 2010

In the matter of : M/S. Navratan Capital & Securities Ltd. & Ors.

Mr. Snehasis Sen
Mr. Abhishek Banerjee
Mr. Aditya Sarkar ... for the petitioners

Ms. Keya Dey ... for the O.P. No. 2

Mr. N. P. Agarwala
Mr. P. Bose, ... for the State

Supplementary affidavit filed by the petitioners is taken on record.

Heard Mr. Sen, learned counsel appearing on behalf of the petitioners and Ms. Dey, learned counsel representing the O.P. No. 2.

It is contended that parties have settled their dispute amicably out of Court and executed a Memorandum of Settlement to that effect and from Clause 6(a) it appears that the parties have decided that the criminal proceeding being C-214 of 2009 filed by the opposite party no. 2, who is Party No. 3.7 to the Memorandum of Settlement, against the accused person pending before the learned Judicial Magistrate, 5th Court, Alipore shall be treated as withdrawn.

Under such circumstances, having found the parties to have settled their dispute amicably, I do not find any reason to stand on the way or to keep the criminal proceeding pending before the

learned Trial Court. Otherwise it would amount to an abuse of process of the Court.

The Criminal proceeding being C-214 of 2009 pending before the learned Judicial Magistrate, 5th Court, Alipore stands quashed pursuant to the settlement arrived at by and between the parties.

The revisional application is thus disposed of along with application if any.

Let a copy of the order sheet be sent to the learned Trial Court for information and necessary action.

Parties are to act on the server copy of this order duly downloaded from the official website of this Court.

(Siddhartha Roy Chowdhury, J.)