

2. 23.07
akb 2024
Ct. No. 237

C.R.R. 2025 of 2022
With
IA No. CRAN 2 of 2023
With
IA No. CRAN 3 of 2024
M/s. Megatherm Induction Pvt. Ltd. & Ors.
Vs.
M/s. Vibot Online LLP

Mr. Arindam Sen
Mr. saurav Basu ...For the Petitioners

Ms. Sonia Sharma ...For the Opposite Party

A criminal case was initiated at the behest of the opposite party herein against the petitioners/applicant Nos. 1 to 4. The opposite party filed the complaint alleging offences committed under Section 406/420/506/120B of the Indian Penal Code, which was registered as case No. CS 25025 of 2019 and presently pending for adjudication before the learned Metropolitan Magistrate, 16th Court Calcutta. The allegations made in the complaint, inter alia, to the effect that in the year 2017, the opposite party representatives after some persuasion supplied Auto Refinishing Articles points and other components to the petitioner/applicant no. 1/company to the tune of Rs. 4,83,798/-. It is alleged that thereafter the opposite party no. 5 approached the petitioner to release the payment for the said supply, but the petitioner no(s) 1 to 4 refused to comply and it is further alleged that a sum of Rs. 3,83,798/- is pending from the petitioners herein. It is further alleged in the complaint that thereafter the petitioners over telephone threatened the opposite party with dire consequences as alleged in the complaint.

The learned Metropolitan Magistrate had taken cognizance

upon the said offence.

In the mean time, the parties entered into an amicable settlement and petitioners paid a sum of Rs. 2,33,798/- to the satisfaction of the complainants/opposite parties. Now by way of filing application, being IA No. CRAN 3 of 2024, both parties submit that they are not interested to proceed further with the said case.

Having considered the facts and circumstances of the case and that in terms of amicable settlement complainant is not interested to depose in support of the allegation made in the complaint, either in the initial deposition or thereafter, I find that continuation of the present proceeding before the Court below will be sheer abuse of process of Court and for ends of justice it would be proper to invoke jurisdiction under section 482 of Cr.P.C.

In such view of the matter CRR 2025 of 2022 is hereby allowed.

The criminal proceeding, being complaint case no. CS 25025 of 2019 pending before the learned Metropolitan Magistrate, 16th Calcutta, under Sections 406/420/506/120B of the Indian Penal Code is hereby quashed and connected applications, being IA No. CRAN 2 of 2023 and IA No. CRAN 3 of 2024 are accordingly disposed of.

Urgent Photostat certified copy of this order if applied for be given to the parties on priority basis upon compliance of all necessary formalities

(Ajoy Kumar Mukherjee, J.)