

**CRR 4473 of 2022
With
CRAN 1 of 2023**

**Fair Food Overseas Pvt. Ltd. & Ors.
Vs.
The State of West Bengal & Anr.**

Mr. Ratnesh Kumar Rai
Mr. Sayantan Das
Ms. Priyanshi Bajaj ...for the applicant nos. 1 to 6

Ms. Sanchari Chakraborty
Ms. Tanisha Khandelwal
Mr. Abhishek Chauhan ...for the applicant no. 7

This is an application under Section 482 of the Code of Criminal Procedure wherein the petitioners have prayed for quashing of the proceeding being G.R case no. 1676 of 2022 presently pending before the learned Additional Chief Judicial Magistrate, Rampurhat, Birbhum.

The allegations leveled against the petitioners are about non-payment of consideration price of Rs. 3,32,03,348/- as per agreed terms.

It is submitted that during pendency of the present application, the parties have amicably settled their dispute in terms of memorandum of understanding at annexure P-1 of the application being CRAN 1 of 2023 and both the parties submit that they do not want to proceed further with the present application in terms of memorandum of understanding by which the defacto-complainant has already

received the agreed amount and as such the defacto-complainant does not want to adduce evidence in support of the allegation leveled in the complaint.

Having considered the facts and circumstances of the case and that the complainant has decided not to adduce evidence in support of the allegation leveled in the complaint as dispute has been amicably settled in terms of memorandum of understanding, I find that further continuance of the present proceeding would be an abuse of process of the court, as there is hardly any chance of conviction of the petitioners at the end of trial.

In such view of the matter, CRR 4473 of 2022 is allowed. The criminal proceeding being G.R case no. 1676 of 2022 presently pending before the learned Additional Chief Judicial Magistrate, Ramputhat, Birbhum is hereby quashed.

In view of disposal of CRR 4473 of 2022, connected application being CRAN 1 of 2023 is also disposed of.

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

(Ajoy Kumar Mukherjee, J.)