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18.12.2025
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**CRR 632 of 2025
with
CRAN 4 of 2025**

**Anuradha Jalan
Vs.
The State of West Bengal & Anr.**

Ms. Kanchan Jaju
Ms. Sreha Das ...for the petitioner

Mr. Dwipayan Banerjee
Mr. Aharnish Ghoshfor the O.P. no. 2

This is an application wherein the petitioner has prayed for quashing of the proceeding being Complaint case no. CS/125046 of 2023, presently pending before the learned Judicial Magistrate, 5th Court, Calcutta qua the petitioner namely, Anuradha Jalan.

Being aggrieved by the aforesaid proceeding, learned counsel for the petitioner submits that accused no. 1 namely, Jawahar Polyweave is a proprietorship concern of Naresh Kumar Agarwal and the petitioner has never been associated with the said concern and as such, there is no scope for her to be responsible in the helm of affairs of the accused no. 1 and to participate in day-to-day management/business of the same. The petitioner being the sister of the proprietor has been implicated as accused in connection with the instant case out of sheer malice and just to create pressure upon the principal accused. She further submits that the allegation levelled in the impugned petition of complaint does not demonstrate any involvement of the petitioner with the

alleged offence. The present proceeding has been instituted in order to expose the petitioner to the chilling possibility of harassment and persecution. However, learned Magistrate completely misconstrued the provision and thereby issued process against the petitioner herein. Even if , the prosecution story is accepted as a gospel truth, no ingredients of the offence have been demonstrated in the written complaint against the petitioner and therefore, the very genesis of the impugned proceeding consequent thereto leading to the prosecution of the petitioner is liable to be quashed. The petitioner cannot be prosecuted for the offence punishable under Section 25 of the Payment and Settlement Systems Act, 2007. Even the account in question was not a joint account and she is neither the signatory to the mandate nor the mandate was issued/drawn from the bank account of the petitioner.

Learned counsel for the opposite party in his usual fairness submits that the prosecution against the present petitioner in fact, has not been made out in the alleged complaint and as such, he leaves the prayer to the discretion of the court.

Having heard learned counsel for both the parties, the instant application being CRR 632 of 2025 along with the connected application being CRAN 4 of 2025 are allowed.

The impugned proceeding being Complaint case no. CS/125046 of 2023, presently pending before the learned Judicial Magistrate, 5th Court, Calcutta is hereby quashed qua the petitioner namely, **Anuradha Jalan**.

Urgent Photostat certified of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)