

07.04.2025
Ct. No.446
SL. No.90/ML
PG

**C.R.R 1192 of 2008
With
CRAN 1 of 2025
Rajendra Kumar Goenka @
Raju Goenka & Anr.
Vs.
The State of West Bengal & Anr.**

Mr. Dipanjan Dutt
Mr. Amitava Mitra
Ms. Sonia Nandy
Mr. Naman Aggarwal.....For the Petitioners

Mr. Rana Mukherjee
Ms. Debolina Das.....For the State

Mr. Srijib Chakraborty
Ms. Rupsa Sreemani
.....For the opposite party no. 2

This application (I.A. No. C.R.A.N. 1 of 2025) has been filed by both the parties as a joint compromise application for passing appropriate orders by way of quashing of the proceedings of Shakespeare Sarani Police Station Case No. 267 dated 01.11.2007 under sections 420/120B of the Indian Penal Code corresponding to G.R. No. 2608 of 2007 pending before the Court of the learned Chief Metropolitan Magistrate, Calcutta as the parties have amicably settled the disputes between them.

It is submitted by the learned advocate for the applicants that the dispute arose pursuant to a complaint filed by the de facto complainant before the Shakespeare Sarani Police Station. However, during the pendency of the criminal revisional application, at the intervention of the friends and well wishers, the entire dispute giving rise to the purported cause of action has been amicably settled between them and the applicant no. 3 has expressed that they have no further claim against the accused persons in connection with the

instant case and accordingly, applicant no. 3 is not willing to proceed with the instant case. In tune with that, the present application has been filed and the copies of which have already been served on the State, the respondent no. 2 as well as the applicant no. 3 herein i.e. M/s. Baccarose Perfumes and Beauty Products Pvt. Ltd. The affidavit of service has been filed. Let it be kept with the record.

Mr. Rana Mukherjee, learned advocate appearing on behalf of the State is present. The Learned Advocates appearing on behalf of the opposite party who filed a subsequent vakalatnama with the endorsement of No Objection on 22.2.24 that the matter has been settled between the parties.

The contention of the parties as appeared from the joint compromise petition filed before this court signed by both the parties is that the impugned proceeding appears to be a product of mercantile disputes between the defacto complainant and the accused persons which are purely inter se the parties thereto. In terms of the settlement the applicant nos.1& 2 have already paid the sum of Rs 23,14,800/-through four account payee cheque drawn by M/S Kusum Traders Pvt Ltd in favor of the Appellant No 3 as the composite settlement amount in full and final and complete satisfaction of all the claims if the applicant no.3 in respect of the dispute raised in Shakespeare Sarani Police Station Case No. 267 dated November 1,2007.He petitioner no. 3 has agreed to withdraw the above proceeding initiated at its behest corresponding to G.R no.2608 of 2007 pending before the Learned Chief Metropolitan Magistrate ,Calcutta as per the mode of payments as described in the memo of settlement .the applicant No.3 is being presently represented by Subhasis Biswas ,being the authorized representative has been duly authorized vide a resolution of the Board of Directors of the Applicant No.3 company dated December 26,2024 which is annexed with the compromise petition.

Therefore it appears that the opposite party no 2 M/S Baccarose Perfumes and Beauty Products the present applicant No.3 being the defacto complainant does not appears to have any other claim against the petitioners /applicant nos 1&2.

In view of the facts and circumstances of this case and also considering the fact that the case under section 420 of the Indian Penal Code being a compoundable offence and the dispute between the parties has been set at rest amicably, let the proceedings of Shakespeare Sarani Police Station Case No. 267 dated 01.11.2007 under sections 420/120B of the Indian Penal Code corresponding to G.R. No. 2608 of 2007 pending before the Court of the learned Chief Metropolitan Magistrate, Calcutta be quashed in terms of the application being CRAN 1 of 2025.

Accordingly, C.R.R. 1192 of 2008 and C.R.A.N. 1 of 2025 are disposed of in terms of the joint compromise petition and let the compromise petition be a part of this order.

Let a copy of this order along with the compromise petition be forwarded to the learned trial court for information and taking necessary steps.

(Chaitali Chatterjee (Das), J.)