

SL- 70
(Da)

12.09.2025

CRR/1964/2025

IN THE MATTER OF: SITARAM DAS AND ANR.

... ..Petitioners

Mr. Ranjan Kali,
Ms. Payel Nath, Advocate
....for the Petitioners

1. Petitioners seek quashing of Mogra Police Station Case No. 336/2024 dated June 28, 2024 under Sections 417/420/406/465/467/468/47/134 of the Indian Penal Code, 1860 pending before the Sessions Judge, Hooghly, Chinsurah.
2. Learned advocate appearing for the petitioners submits that the petitioners entered into a compromise with the State Bank of India. He refers to a letter dated January 17, 2025 which states that, the entire claim of SBI stands settled.
3. Discharge of civil liability *piso facto* will not tantamount to discharge of the criminal liability.
4. In the facts of the present case, it appears that, the petitioners obtained home loan from SBI and that such loan amount was used for commercial purpose. That itself sounds in fraud.
5. There were proceedings initiated by SBI for realization of their claim. Ultimately, a settlement was arrived at with regard to civil liability as reported in the letter dated January 17, 2025. So far as the criminal liability is concerned, SBI in the same letter dated January 17, 2025 states that the criminal complaint is pending and that, title documents will not be handed over till such criminal

complaint attained finality. Criminal liability occurred on the commission of the offence.

6. Simplicitor on the ground of payment and discharge of the civil liability, I am not inclined to quash criminal proceedings more particularly since public money is involved.
7. CRR/1964/2025 is accordingly **dismissed**.

(Debangsu Basak, J.)