

02.09.2025
Court No. 09
Item No. 6

CRR 2978 of 2025

Ab

In Re: An application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Corresponding to Section 482 of the Code of Criminal Procedure, 1973);

and

In the matter of : **IDBI Bank Limited.**

...Petitioner.

**Ms. Soni Ojha,
Ms. Sambrita B. Chatterjee.**

...For the petitioner.

1. Learned Advocate for the petitioner is present.
2. This application is directed against an order dated 29th April 2025 passed by the learned Chief Judicial Magistrate, Calcutta in Misc. C. Case No. 59 of 2025.
3. Heard the learned Advocate for the petitioner.
4. The learned Magistrate in the order dated 29th April 2025 was pleased to observe that on perusal of the enquiry report, it is found that financial assistance was lent out to the opposite parties as overall loan/credit facility for secure movable and immovable assets of the opposite parties under loan agreement. The opposite parties initially made payments on regular basis as per the terms and conditions of the loan agreement and subsequently became irregular and defaulted. The petitioner/bank has already approached the DRT for recovery of loan amount and the same is pending for final adjudication.
5. Upon perusing the order passed by the learned Magistrate and considering the facts of the case and the materials on record and the time for institution of the complaint, which is long after the civil case was filed, this Court is of the view that no ground to interfere with the order passed by the learned Magistrate is made out.
6. The instant application is, thus, dismissed.

(Biswaroop Chowdhury, J.)

