

10.12.2025
Item No.20
Ct. No. 34
nb

CRR 3640 of 2023
With
CRAN 1 of 2024
+
CRAN 2 of 2024

In the matter of: **Hindustan Construction Company Ltd.**
..... petitioner.

Mr. Rohan Ojha,
Mr. Ratnesh Kr. Rai,
Mr. Sayantan Das,
Mr. Ayush Kr. Upadhyay,
Mr. Devanshi Deora,
....For the Petitioner
Mr. Soham Sanyal,
Mr. Kunal Saraogi,
.... For the applicant No.2

In Re. CRAN 2 of 2024

1. This is an application for quashing of the proceeding in view of subsequent development of settlement as arrived between the parties. Initially, application was filed for quashing on behalf of the petitioner/Hindustan Construction Co. Ltd. of the proceeding of the case no.CNS/64 of 2022 under Sections 420/406/120B of the Indian Penal Code pending before the learned Metropolitan Magistrate, 19th Court, Calcutta also order dated April 13, 2023 whereby summons were issued against the present petitioners.
2. During pendency of the order, the interim order as granted was extended time to time and lastly both parties arrived amicable settlement on the intervention of the common friends and well wishers between the applicant no.1 and 2. Accordingly, memorandum of settlement was executed between the applicant no.1/petitioner and applicant no.2/complainant.

Accordingly, the applicant no.1 has expressed his desire to comment the offence under Section 420/406/120B of the IPC in connection with the above mentioned proceeding.

3. It is submitted before this Court that as per the settlement has already agreed to pay sum of Rs.2,20,000/- inclusive all taxes towards full and final settlement of all claims, disputes and dues arose by the second party.
4. Learned counsel representing the opposite party as also concedes such fact and hence in view of the above settlement arrived in the decision of the Hon'ble Supreme Court in **Achin Gupta Vs. State of Haryana & Ors.** that in the case where charges between the parties under Sections 420/406/120B of the Indian Penal Code, there is no reason to allow the proceeding any further otherwise it would be abuse in the process of law.
5. Hence, the joint prayer made before this Court is considered and accordingly, the proceeding pending before the learned Court is hereby quashed.
6. Accordingly CRR 3640 of 2023 is disposed of.
7. Connection application, if any is also disposed of.
8. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.
9. Urgent xerox certified copy, if applied for be given to the parties on usual undertakings.

(CHAITALI CHATTERJEE (DAS), J.)