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15.12.2025
Bd.
Ct. 29

**CRR 4346 of 2025
IA No. CRAN 2 of 2025
Ram Kishore Bansal & Ors.**

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

**Mr. Ayan Bhattacharya
Mrs. Manaswita Mukherjee
Mr. Pankaj Agarwal
Mr. Nahid Ahmed
Mr. Soham Saha** ... for the petitioners.

**Mr. Sourav Chatterjee
Mr. Somopriya Chowdhury
Mr. Himangshu Bhawsinghka** ... for the defacto.

**Mr. Debasish Roy
Mr. Suman De
Mr. Dipankar Mahata** ... for the State.

Re : CRAN 2 of 2025

The main application being CRR 4346 of 2025 has been preferred before this Court with the prayer for quashing of the proceeding being A.C.G.R. Case No. 4338 of 2025 under section 61(2)/3(5)/316(5)/318/341(1)/341(4) of BNS presently pending before learned Additional Chief Judicial Magistrate, Alipore, South 24 Parganas, qua the petitioners namely **Ram Kishore Bansal, Vikash Bansal, Viraaj Bansal, Aryan Dhatu Private Limited and Bengal Peerless Housing Development Company Limited.**

The petitioners and the defacto complainant during pendency of the instant application have entered into a compromise and to that extent they have filed the instant application being CRAN 2 of 2025. In the said application

they have also mentioned the terms of settlement arrived at by and between the parties.

In such circumstances, learned counsel for the petitioners as well as learned counsel for the opposite party no.2 submits that dispute between the parties are purely private and civil in nature and therefore in view of amicable settlement between the petitioners and the defacto-complainant/opposite party no. 2 both the parties do not want to proceed further with the impugned proceeding.

Learned counsel for the State submits that the proceeding has been compromised partially with the present petitioners but still there is one more accused against whom the proceeding should continue.

Having heard learned counsel for the petitioners and both the opposite parties, it appears that when the defacto-complainant had decided not to adduce evidence against the present petitioners in view of amicable settlement arrived at by and between the parties, I find that further continuance of a facade trial against the present petitioners will be a mere abuse of the process of the Court. Furthermore, in view of apparently genuine settlement between the present petitioners and the defacto-complainant, there is hardly any chance of conviction of the present petitioners at the end of trial.

In such circumstances, I find that this is an appropriate case where the Court should invoke its

jurisdiction under section 482 Cr. P.C. read with section 528 of the BNSS to quash the proceeding qua the petitioners.

In such view of the matter the instant application being CRR 4346 of 2025 along with CRAN 2 of 2025 are allowed.

The impugned proceeding being A.C.G.R. Case No. 4338 of 2025 presently pending before learned Additional Chief Judicial Magistrate, Alipore, South 24 Parganas is hereby quashed qua the petitioners namely **Ram Kishore Bansal, Vikash Bansal, Viraaj Bansal, Aryan Dhatu Private Limited.** The observation made herein shall be confined to the petitioners of this Application only.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)