

07.

Ct.29

10.04.2026
Bd.

CRR 480 of 2026

IA No. CRAN 1 of 2026

Kavita Choudhary
-vs-
The State of West Bengal & Anr.

Mr. Kaushik Chatterjee
Mr. Tirthankar Dey ... for the petitioner

Mr. Pawan Kumar Gupta
Ms. Sofia Nesar
Mr. Santanu Sett ... for the opposite party no. 2

Md. Anwar Hossain
Ms. Puspita Saha ... for the State

Report submitted by Officer-in-Charge, Hare Street Police
Station dated 10.04.2026 is taken on record.

This is an application wherein petitioner has prayed for
quashing of the proceeding being GR (S) No. 10 of 2026 presently
pending before the learned Chief Judicial Magistrate, Calcutta.

The petitioner has been arraigned as an accused on the
basis of an application filed by the opposite party no. 2 under
section 175(3) of the BNSS alleging commission of offences
punishable under section 316(2)/318(4) of the BNS. The crux of
the allegation as has been unveiled from the FIR is a residual
money claim by the opposite party no. 2 from the LLP emanating
from a financial accommodation/loan. Therefore, the allegation
made in the FIR in its entirety at its best constitutes to a civil
dispute and moreover, the petitioner as well as opposite party no.
2 during pendency of the proceeding have amicably settled their
disputes and to that extent they have also filed one connected
application being CRAN 1 of 2026.

Learned counsel appearing for the opposite party no. 2 submits that opposite party does not want to proceed further with the present case in view of amicable settlement and he does not want to adduce evidence in support of the imputation leveled in the complaint. Therefore opposite party no. 2 also presses for quashing of the impugned proceeding.

Having heard learned counsel for the petitioner and both the opposite parties, it appears that when in terms of settlement between the petitioner and the opposite party no. 2, the opposite party no.2 has already decided not to adduce evidence in support of the imputations leveled in the complaint, I find that further continuance of the impugned proceeding will be nothing but a mere abuse of the process of the court, as there is hardly any chance of conviction of the petitioner at the end of the trial.

In view of the above, CRR 480 of 2026 is allowed. The connected application, if any, is also disposed of.

The impugned proceeding being GR(S) No. 10 of 2026 pending before learned Chief Judicial Magistrate, Calcutta is hereby quashed.

The accounts, which have been freezed in connection with the instant proceeding during investigation shall be de-freezed.

The personal appearance of the Officer-in-Charge Hare Street police station is hereby dispensed with.

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.)

