

04.09.2025
Item No.21
Ct. No. 446
RP

CRR 3712 of 2025
Dharmendra Sonowal & Anr.
Vs.
M/s. Mahindra & Mahindra Financial Services Limited

Mr. Debasish Kundu
.....For Petitioners

1. This revisional application is filed for quashing of the proceeding being Case No.CS/35112/2025 under Sections 316(2)/ 318(3)/ 318(4)/ 321/ 351(2)(3)/ 61(2) of BNSS 2023 pending before the Court of the Learned Judicial Magistrate, 7th Court, Calcutta.
2. The specific case of the petitioners is that entire loan amount was paid long back in the year 2021 and they annexed a copy of the bank statement in support of their claim. However, despite the aforesaid fact the bank lodged a complaint against the petitioners in the year 2025 alleging that the petitioners have violated the terms and conditions of loan agreement and stopped making payment, which per se is a false statement. He, accordingly, prays for quashing of the proceeding.
3. Heard the submission. Perused the case record and the contents of the FIR, which palpably appears to be contradictory with the statements

placed before this Court and, prima facie, shows that the last installment was paid on 30th June, 2021. Therefore, the petitioners have been able to establish a prima facie case which requires to be heard. Hence, the petitioners are directed to serve a copy of the revisional application alongwith all annexures upon the opposite parties by registered post with acknowledgement card due and to file affidavit-of-service on the next date of hearing.

4. There shall be stay of all further proceedings in Case No.CS/35112/2025 under Sections 316(2)/ 318(3)/ 318(4)/ 321/ 351(2)(3)/ 61(2) of BNSS 2023 pending before the Court of the Learned Judicial Magistrate, 7th Court, Calcutta till 30th November, 2025.
5. Let the matter be listed in the Combined Monthly List of November 2025 before the Regular Bench
6. Parties are directed to act on a server copy of the order duly downloaded from the official website of the Hon'ble High Court at Calcutta.

(Chaitali Chatterjee (Das), J.)

