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23.03.2026

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Bd.
Ct. 29

CRR 4027 of 2025
IA No. CRAN 1 of 2026

Nishant Mittal
Vs.
The State of West Bengal & Anr.

Mr. Pinak Kumar Mitra
Ms. Subhanwita Ghosh
Ms. Ankita Dutta **... for the petitioner.**

Mr. Kaustav Talukdar **... for the opposite party no.2**

Mr. Debanik Dey **... for the State.**

Petitioner has preferred the instant application for quashing of the proceeding being G.R. Case No. 6366 of 2022 presently pending before learned Additional Chief Judicial Magistrate, Barrackpore.

The petitioner herein is one of the directors of M/S. PCM Steel Pvt. Ltd. and opposite party no. 2 is the authorized representative of the Hindustan Adhesive and Chemicals. The above mentioned two companies have entered into a commercial transaction and thereafter a dispute arose between the parties over the issue of delayed payment of the outstanding dues. The opposite party no. 2 herein lodged the criminal proceeding against the petitioner and it is alleged in the complaint that the dispute is civil in nature and the complainant has taken a short cut settlement method.

However, during pendency of the instant application for quashment it is submitted that the parties have amicably settled their dispute and to that extent they have filed one connected application being CRAN 1 of 2026 wherein it has been submitted by the opposite party no. 2 that the petitioner's company has

made full payment on 1st September, 2022 against the bill no. 599 dated 12.08.2021 for Rs. 1,10,920.00 and bill no. 653 dated 23.08.2021 for Rs. 1,94,700.00 in favour of the opposite party no. 2 company and therefore the opposite party no. 2 is not willing to proceed further with the criminal complaint.

Having heard learned counsel for the petitioner, opposite party no. 2 and the State it appears that when the matter has been amicably settled between the petitioner and the opposite party no. 2 has decided not to adduce evidence in support of the imputation leveled in the complaint, I find that further continuance of the instant proceeding will be a mere abuse of the process of the court as there is hardly any chance of conviction of the petitioner at the end of trial.

In view of amicably settlement, CRR 4027 of 2025 along with the connected application being CRAN 1 of 2026 are allowed.

The criminal proceeding being G.R. Case No. 6366 of 2022 presently pending before learned Additional Chief Judicial Magistrate, Barrackpore is hereby quashed.

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.)