

09.09.2025
Ct. No. 32
Sl. No.40
Sws.M

**CRR 3907 of 2024
with
CRAN 2 of 2025**

In the matter of : **Pinki Kriplani and Ors.**

... Petitioners

Mr. Pawan Kumar Gupta
Mr. B.N. Joshi
Ms. Sofia Nesar
Mr. Santanu Sett

...for the petitioners

Ms. Priyanka Sarkar
Ms. Priyanka Agarwal

.....for the opposite party No. 2

1. All the learned counsel appearing on behalf of the parties to this revisional application are present before this Court.
2. This revisional application has been filed at the behest of the petitioners with a prayer for quashing of the proceeding in connection with Complaint Case No. CS/0015590/2015 under Sections 138/141 of the Negotiable Instruments Act, 1881 pending before the learned Judicial Magistrate, 20th Court, Calcutta.
3. The aforementioned complaint was initiated on an application under Section 138 read with Section 141 of the Negotiable Instruments Act against one company under the name and style of M/s. Vahe Guru Engineering Works along with the four petitioners herein with the allegation that there was business transaction between the complainant, that is, M/s. Steel World Private Limited and the accused company dealing in iron and

steel machineries and they received huge quantity of iron sheets from the complainant. Accordingly, invoices were raised, but the accused company did not clear all the dues leaving outstanding to the tune of Rs.2,99,119/- payable by the accused No. 1 and all other accused, being the partners to the complainant company. Six cheques were issued and one of the cheque being No. 126525 for Rs.50,000/- was encashed on presentation but rest five cheques got returned due to insufficiency of funds.

4. In spite of serving demand notice, outstanding dues were not paid, that is why the complaint was filed before the Court of learned Judicial Magistrate, 20th Court, Calcutta.
5. Thereafter, Learned Magistrate took cognizance of the offence and issue process.
6. Learned counsel appearing on behalf of the petitioners has drawn my attention to the demand notice and reply thereto, wherefrom it appears that the petitioners duly informed that they are neither the partners nor directors of the accused firm in any way whatsoever.
7. Learned counsel appearing on behalf of the petitioners has also drawn my attention to the partnership deed wherefrom it appears that partnership firm was registered and it was executed between one Smt. Kabita Dewan and Amitabh Rai.
8. At this stage, learned counsel appearing on behalf of the opposite party has also conceded the submission advanced on behalf of the petitioner No. 1 who are not connected with the accused firm in any way whatsoever.

9. Learned counsel for the petitioners as well as opposite party are *ad idem* of the fact that this Complaint Case being No. 0015590 / 2015 is liable to be quashed against the petitioner No. 1 only.
10. In the aforesaid view of the matter, the instant revisional application stands allowed.
11. Let the proceeding in connection with the aforementioned case under Section 138/141 of the Negotiable Instruments Act pending before the learned Judicial Magistrate, 20th Court, Calcutta stand quashed against the petitioner No.1 only.
12. Learned Trial Court is requested to proceed with the case against the rest accused of the case as expeditiously as possible.
13. With the aforesaid observation, the revisional application along with connected application, if any, stands disposed of.
14. All parties to act on the server copy of this order duly downloaded from the official website of the Court.
15. Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Bibhas Ranjan De, J.)