IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

Present:
The Hon'ble Justice Debangsu Basak

C.R.R. 1712 of 2025

Adom Ali Mridha & Anr.
Vs.
The State of West Bengal & Anr.

For the petitioners : Mr. Sabyasachi Mukherjee
Mr. Mrinmay Nandy
Ms. Ankita Nandi
Mr. Biswajit Mukherjee
Ms. Swastika Saha
Mr. Rano beer Halder

For the State : Mr. Debasish Roy, Ld. P.P.,
Mr. Kunal Ganguly

Heard and Judgment on : September 17, 2025

Debangsu Basak, J.:-

1. Affidavit of service filed in Court be taken on record.

2. None appears for the private opposite party.

3. Petitioners seek quashing of criminal complaint.

4. Learned advocate appearing for the petitioners submits that on the face of the police complaint lodged by the private opposite party, the same does not disclose commission of a cognizable offence. He submits that non-payment of a sum does not result in a criminal

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liability. In support of such contentions, he relies upon **(2007) 8 S.C.R. 746 (Veer Prakash Sharma vs. Anil Kumar Agarwal & Anr.)**.

5. Learned advocate appearing for the State refers to the materials in the case diary. He submits that a written agreement between the parties in relation to the subject matter was seized. He submits that there is a counter criminal complaint pending with regard to the abduction in which charge sheet was submitted.

6. In the present revisional application, I am concerned with the G.R. Case No. 2512 of 2024 arising out of Bhabanipur Police Station Case No. 328 of 2024 dated February 6, 2024 under Sections 420/406 of the IPC, 1860.

7. The complaint to the police lodged by the private opposite party discloses that there was a transaction with regard to sale of certain articles. It is the claim of the private opposite party that an amount by virtue of such sale is outstanding.

8. **Veer Prakash Sharma** (supra) is of the view that the allegations contained in the complaint even if given face value and taken to be correct, in its entirety must disclose commission of a cognizable offence. In the event, it does not, a High Court in exercising of its powers under Section 482 of the Cr.P.C. can quash the criminal proceedings.

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9. In the facts of the present case, there is a civil dispute between the private parties. There exists a written contract for supply of materials. Apparently, supplies of materials took place and that an amount is outstanding with regard to such supplies.

10. The allegations reveal that there is a civil dispute between the private parties. Criminal complaint arises out of a commercial transaction. Mere non-payment without coupled with anything else may not sound in criminal liability.

11. In such circumstances, **G.R. Case No. 2512 of 2024** is **quashed**.

12. **C.R.R. 1712 of 2025** is **disposed of**.

(**Debangsu Basak, J**.)

S.D.