

Party Name : DAFFODIL INSURANCE AGENCY PVT. LTD. Vs STATE OF TRIPURA & ANR.

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HONBLE THE CHIEF JUSTICE DEEPAK GUPTA

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Sri K.N. Bhattacharji, learned Sr. Counsel for the petitioner, states that the counsel who was assisting him in the matter has not contacted him.

This is a matter filed in the year 2010 whereby the petitioner has sought quashing of the FIR and by interim order, the lock put on the premises of the petitioner-company was ordered to be removed. There was no stay and investigation must have been completed by now.

In view of the fact that investigation has gone on and the matter has been pending for 5(five) years, the petition is disposed of without going into merits only on the ground that the Investigating Officer shall ensure that if after investigation any case is made out, the Charge-sheet shall be filed in the Court.

This Court has given directions to the police to constitute a Special Investigation Team to deal with all chit fund cases and, therefore, it would not appropriate to stay the investigation of the matter. The jurisdiction of the Court to quash an FIR is very limited. An FIR can only be quashed if no offence is made out on the material set out on the complaint. That cannot be said about this case wherein the company is alleged to have defrauded large number of innocent citizens of their hard-earned money.

Therefore, the petition is rejected.