

THE HIGH COURT OF TRIPURA
AGARTALA

CRL. PETN. 09 of 2010

Shri Dibyendu Bhowmik,
S/O. Shri Dilip Kr. Bhowmik,
Resident of Nabarun Palli near Nabarun Palli Club,
P.O. Sodepur,
P.S. Gholia,
North 24 Parganas, West Bengal – 700 110.

..... *Petitioner*

By Advocate : Mr. D. Bhattacharjee

- Vs -

1. Shri Sanjib Das,
S/O. Shri Arun Das,
Resident of South Belonia near Gitanjali Rest House,
P.S. Belonia, P.O. Belonia,
District – South Tripura.
2. The State of Tripura
Represented by –
The Secretary to the
Government of Tripura,
Home Department,
New Secretariat Building,
P.S. East Agartala,
West Tripura.

..... *Respondents*

By Advocate : Mr. A. Ghosh, P.P. for respondent No.2.

CRL. PETN. 23 of 2010

Shri Tinku Brata Das,
S/O. Shri Binode Behari Das,
Resident of Melarmath,
P.O. Agartala, P.S. West Agartala,
District – West Tripura.

..... *Petitioner*

By Advocate : Mr. A.K. Bhowmik, Sr. Advocate.
Ms. M. Choudhury, Advocate.

- Vs -

1. The State of Tripura.
Represented by the Secretary,
Government of Tripura, Home Department,
New Civil Secretariat Complex,
P.O. Kunjaban,
P.S. East Agartala, District West Tripura.
2. The Officer-in-Charge, R.K. Pur Police Station,
P.O. R.K. Pur, Udaipur, District South Tripura.
3. Shri Sanjib Das,
Inspector, CID (Investigating Officer),
Police HQ, P.O. Agartala, P.S. West Agartala,
District West Tripura.
4. Sri Sanjib Das
S/O Sri Arun Das
Resident of South Belonia (near Gitanjali Guest
House), P.O. & P.S. Belonia, District-South Tripura.

..... *Respondents*

By Advocate : Mr. A. Ghosh, P.P. for respondent Nos.1&2.

CRL. PETN. 01 of 2011

Shri Surendra Misra,
S/O. Shri Mahesh Misra,
Director of Oven Commerce Pvt. Ltd. (OCPL),
Resident of 136, B.K. Street, Uttar Para, Kotrang
(Hooghly), P.S. Uttar Para – 712258, West Bengal.

..... *Petitioner*

By Advocate : Mr. A.K. Bhowmik, Sr. Advocate.
Ms. M. Choudhury, Advocate.

- Vs -

1. The State of Tripura.
Represented by the Secretary,
Government of Tripura, Home Department,
New Civil Secretariat Complex,
P.O. Kunjaban,
P.S. East Agartala, District West Tripura.
2. The Officer-in-Charge, R.K. Pur Police Station,
P.O. R.K. Pur, Udaipur, District South Tripura.

3. Shri Sujit Kumar Das,
Inspector of Police, CID, Tripura, Agartala,
(Investigating Officer), Police HQ, P.O. A.D. Nagar,
West Agartala, District West Tripura.

4. Sri Sanjib Das
S/O Sri Arun Das
Resident of South Belonia (near Gitanjali Guest
House), P.O. & P.S. Belonia, District-South Tripura.

..... *Respondents*

By Advocate : Mr. A. Ghosh, P.P. for respondent Nos.1&2.

BEFORE
HON'BLE THE CHIEF JUSTICE MR. DEEPAK GUPTA

Date of hearing & : 19.06.2015.
delivery of
Judgment & order

Whether fit for : No.
reporting

JUDGMENT & ORDER (ORAL)

All these three petitions are being disposed of by a
common Judgment.

2. FIR No.162 of 2010 was registered in the Police Station
R.K. Pur on 16.05.2010.

3. Briefly stated the facts of the cases are that a company
known as Oven Commerce Private Limited (OCPL) had opened
some offices in the State of Tripura. According to the complainant,
the accused persons had committed offences under Sections

406/417/418 and 420 IPC. It was alleged that this company painted a very rosy picture of its finances and induced many persons to take out insurance policies through the company. It is further the case of the complainant that in fact in many cases no policy was taken out and the money of the poor subscribers has been grabbed.

4. Some of the accused have filed these three petitions praying for quashing of the FIR. During the pendency of these petitions even as per the police investigation, no case is made out against Shri TinKu Brata Das petitioner in Crl. Petn. No.23 of 2010. Therefore this petition has become infructuous.

5. As far as the petitioners in the other two cases are concerned, charge sheets have been filed by the police. Since the entire material is before the trial Court, these petitions are disposed of with the directions that if charges have still not been framed at the time of framing of the charge, the accused shall be heard and the officer shall pass a reasoned order at the time of framing of the charge.

6. All the three petitions are disposed of in the aforesaid terms.

7. The stay order is vacated. Send back the LCRs forthwith.

8. The petitioners in Crl. Petn. No.09 of 2010 & Crl. Petn. No.01 of 2011 are directed to appear before the trial court on 22nd July, 2015 failing which the trial court shall issue non-bailable warrants to secure their presence.

CHIEF JUSTICE

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