

CRR 1815 of 2021
with
CRR 1118 of 2021

In re : An application under Section 482 of the Code of Criminal Procedure, 1973.

In the matter of : **Laishram Jinan**

..... petitioner

Mr. Chinmoy Pal
Mr. Kamal Krishna Guha
Mr. Sourav Mondal

....For the petitioner

Mr. Ranabir Roy Chowdhury
Mr. Rudradipta Nandy
Mr. Mainak Gupta

.....For the State

Re: CRR 1815 of 2021

Yesterday, an order was dictated in the Court by which the charge under Section 489C of the Indian Penal Code, 1860, framed against the petitioner was set aside.

Before signing the said order, it appeared that it had been glossed over by this Court as well as by both the appearing parties, that there no charge was framed against the petitioner under Section 489C of the Indian Penal Code, 1860, by the learned Judge in the Court below. In fact, the learned Judge has framed the charge against the petitioner under Section 120B of the Indian Penal Code, 1860, in relation to the offences under Sections 489B and 489C of the Indian Penal Code, 1860.

The learned Judge framed the charge against the petitioner in the following manner :-

“Firstly:- That you all on or about the 27th day of February, 2020 or soon before the said day at the place mentioned above

and/or at any other place/places agreed with each other to do illegal acts namely; trafficking 'FICNs' of Rs. 1,50,000 to Kolkata from Assam/Manipur which is an offence u/s 489B of IPC and keeping in possession of accused Isaulang Riame of the aforesaid amount of 'FICNs' which is an offence u/s 489C of IPC and pursuant to your agreement the aforesaid two offences have been committed/done

and you thereby committed an offence punishable u/s. 120B of the Indian Penal Code and within my cognizance.

And I do hereby direct that you be tried on the said charges."

The relevant facts involved in this case has been briefly narrated in the order passed in CRR 1118 of 2021, and the reasons for rejection of the discharge petition have also been indicated.

On the same reasoning, the charges framed against the petitioner are upheld.

The application being **CRR 1815 of 2021** is disposed of.

All parties shall act upon the server copy of this order duly downloaded from the official website of this Court.

(Kausik Chanda, J.)