

Court No. 33
Item 33
Sk
18.07.2022

CRR 13 of 2016

In Re:- An application under Section 401 read with Section 482 of the Code of Criminal Procedure.

In the matter of:- **Kartick Chandra Sahoo @ Kartik Ch. Sau & Ors.**

versus
State of West Bengal & Ors

Mr. Imran Ali

Mrs. Debjani Sahu

...for the State.

None appears on behalf of the petitioners.

The present revision has been filed for quashing of proceeding being Egra Police Station Case No. 49 of 2005(G.R. 98 of 2005) presently pending before the learned Additional Sessions Judge, Contai, Purba Medinipoe being Special Trial No. 01 of 2010 under Sections 406/409/418/420/426 of the Indian Penal Code.

The brief fact of the case is that the complainant is a Nationalized Bank deal in banking business, inter alia, for advancing loan and gold loans by pledging gold ornaments. The petitioner no. 2 was enlisted valuer/appriser of the said bank at the material point of time. Petitioner no. 1 made an application for loan pledging some gold ornaments whose genuineness and quality were valued and appraised by the petitioner nos. 2. However, subsequently it was detected that the gold ornaments that were pledged were not genuine. On such basis, the FIR being Egra P.S. Case No. 49 of 2005 came to be registered under Sections 406/409/418/420/426 of the Indian Penal Code. Being aggrieved by and dissatisfied with the said proceeding, the petitioners have preferred the present

revisional application.

Mrs. Debjani Sahu, learned advocate for the State files status report. Let it be kept with the record. She submits that already after framing of charge, the examination of prosecution witnesses has been undertaken and next date has fixed for further examination of the witnesses and accordingly, the present revisional application is liable to be dismissed.

It appears from the status report dated 30.6.2022 submitted by Inspector of Charge, Egra P.S. that upon completion of investigation charge-sheet was submitted under Sections 406/409/418/420/426 of the Indian Penal Code against both the petitioners on the basis of primary materials collected during the course of investigation. The charge has already been framed on 3.6.2015 and the trial has commenced with examination of prosecution witnesses.

In view of such materials the proceeding before the trial court does not call for any interference.

Accordingly, the revisional application is dismissed.

It is, however, made clear that the observation made herein above shall not have any bearing on the rights and contentions of the parties before the trial court.

All connected applications stand disposed of.

Interim order, if any, stands vacated.

Urgent photostat certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Bivas Pattanayak, J.)