

16.08.2022
Item no. 14
Court No.06
S.De.

C.R.R. 324 of 2014

In the matter of : Smt. Sarmistha Bhoumick & Anr.

.....Petitioners.

None appears on behalf of either of the parties on call.

On perusal of the record, it appears that on several previous occasions none appeared either on behalf of the petitioners or the opposite parties. Hence, without wasting any further time, the matter is taken up for consideration.

This is an application under Section 482 of the Code of Criminal Procedure, 1973 to pray for quashing of the proceeding and the order dated July 20, 2011 passed by the Chief Judicial Magistrate, Barasat in G.R. Case No. 4837 of 2010. The case arose in connection with Deganga Police Station Case No. 407 of 2010 dated December 12, 2010 under Sections 406/420/34 of the Indian Penal Code.

It appears that the complainant moved before the Trial Court for an order under Section 156(3) against the present petitioners with the allegations inter alia that the petitioners have defrauded and deceived the de facto complainant by not praying the settled amount of money in lieu of delivery of some goods. According to the complainant, he has

performed his part of job but in spite of that the petitioners have deceived him by not paying the money. In terms of direction of the Trial Court, the police registered the above mentioned case which was culminated into filing of charge sheet by them on May 31, 2011.

After perusing the materials on record, I am of the considered opinion that the petitioners have not been able to bring sufficient and cogent material in the Court to substantiate their grounds pleaded in the present case. Accordingly, the case merits no success.

CRR 324 of 2014 is dismissed. Connected application, if any, is disposed of. Interim order, if any stands vacated.

Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance with all the necessary formalities.

[Rai Chattopadhyay, J.]