

17.06.2022

Item No.7
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

**C.R.R. 1032 of 2022
with
CRAN 1 of 2022**

**Navin Sharma & Anr.
versus
The State of West Bengal & Anr.**

In Re: An Application under Section 482 of the Code of Criminal Procedure, 1973.

Ms. Afreen Begum	... For the Petitioners.
Mrs. Anasuya Sinha, Ms. Jonaki Saha	... For the State.
Mr. Abhinav Rakshit	... For the Opposite Party No.2.

Pursuant to the earlier order, a report has been submitted by the Officer-in-charge, Cyber Crime Police Station, Bidhannagar Police Commissionerate. Let the said report be kept on record.

The complainant stated in his written declaration which is attached with the report that he had given Rs.3,00,000/- to the petitioners pursuant to false/fake representation being made. However, the said money has been refunded by the accused persons/petitioners.

The case is under Sections 419/420/120B of the Indian Penal Code. Mrs. Sinha, learned advocate appearing for the State submits with reference to the case diary that there is no involvement of Information Technology Act or any fraudulent digital violation of any banking code.

Having regard to the fact that only on representation by way of Whatsapp Chat, the money was transferred by way of

false reasoning, I am of the opinion that the case is limited to Sections 419 and 420 of the Indian Penal Code.

In view of the report submitted and the statement of the complainant/informant who expressed his desire not to pursue the present case, let all further proceedings of Bidhannagar Cyber Crime Police Station Case No. 72 of 2020 dated 29.09.2020 G.R. Case No. 654 of 2020) under sections 419/420/120B of the Indian Penal Code and the subsequent charge-sheet submitted therein be quashed.

Accordingly, the revisional application being CRR 1032 of 2022 along with CRAN 1 of 2022 is hereby allowed.

All pending connected applications, if any, are consequently disposed of.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)