

Court No. 33
Item 11
Ali
30.06.2022

CRR 930 of 2015

IA No.:CRAN/1/2015 (Old No.: CRAN/3455/2015)

In the matter of:- Ashok Sen@ Simon & Anr.

.....Petitioners

Mr. Saswata Gopal Mukherjee, Ld. P.P.

Mr. Saryati Datta

.....for the State.

This revisional application has been filed by the petitioner under Section 401 read with Section 482 of the Code of Criminal Procedure for quashing of the proceedings being Sessions Case No. 5(3) of 2011 arising out of Jadavpur P.S. Case No. 631 dated 11.11.2010 under Sections 365/370/371/406/420/120B/34 of the Indian Penal Code now pending before Learned Additional Sessions Judge, 8th Court, Alipore, 24-Parganas (South).

The brief fact of the case is that one Rupjan Laskar submitted a written complaint before Jadavpur PS with the allegation that in the month of July, 2010 her son Khorsed Alam contacted Sankar Bose (petitioner No. 2) for a job in Malayasia. Petitioner No. 2 took him to one Ashok Sen @Simon (petitioner No. 1) and both the petitioners demanded Rs.1,00,000/- from said Khorsed Alam. Khorsed Alam delivered Rs. 50,000/- and he was sent to Malayasia alongwith 5-6 other persons in the month of October. Khorsed Alam informed over telephone that he is kept in confinement. On the basis of such allegation, Jadavpur PS Case No. 631/10 was registered against the petitioners and one other. Upon completion of investigation charge-sheet was submitted

against the petitioners under Sections 365/370/371/406/420/120B/34 of the Indian Penal Code.

Being aggrieved by and dissatisfied with the aforesaid proceedings the petitioners have preferred the present revisional application.

Mr. Saryati Datta, Learned Advocate appearing for the State files status report in compliance to order dated 10.06.2022. Let it be kept with the record. He submits that there are prima-facie materials against the petitioners. As per the status report charge has already been framed and date has been fixed for evidence before the trial court.

It appears that after completion of investigation on the basis of primary materials collected during the course of investigation, the investigating agency submitted charge-sheet against the petitioners under Sections 365/370/371/406/420/120B/34 of the Indian Penal Code. Moreover, the status report reveals that charge has been framed against both the petitioners and date has been fixed for evidence. Consideration such prima-facie materials, I am of the view, that the proceedings before the trial court does not call for interference.

Accordingly, the present revisional application is dismissed.

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

All connected applications also stand disposed of.

Interim order, if any, stands vacated.

Let a copy of the order be sent to learned trial court for information.

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

(Bivas Pattanayak, J.)