

CRR 2015 of 2009

In the matter of : M/s. Jayshree Tea & Industries Limited

Ms. Sutapa Sanyal
Mr. Debrup Bhattacharjee
Mr. Pradeep Kumar Tulsyan .. for the petitioner

Ms. Faria Hossain
Ms. M. Jana ... for the State

Mr. U.S. Menon
Mr. Abhirup Chakraborty .. for the O.P. No. 2

By this revisional application, the petitioner is inviting the Court to quash the petition of complaint filed by Mr. Pramad Kumar Bihani, before the learned Chief Metropolitan Magistrate, Calcutta. Pursuant to the direction given by this Court on 26th August, 2022 the said complainant Mr. Pramad Kumar Bihani being the respondent before this Court has filed an affidavit stating inter alia that he wants to withdraw the petition of complaint pending before the Trial Court.

The learned Trial Court has already taken cognizance and issued process upon the accused person, however, copy of the Supplementary affidavit shows that M/s. Laurel Wood Private Limited has been struck off from the register of companies.

Under such circumstances the complainant, on oath has expressed his unwillingness to proceed with the petition of complaint before the learned Trial Court, I am of the view that the petition under Section 482 Cr. P.C. should be allowed to prevent abuse of process of law, which I accordingly do.

The Complaint Case no. 35022 of 2008 pending before the learned Chief Metropolitan Magistrate Calcutta is hereby quashed.

The Criminal Revision is thus disposed of along with interlocutory application, if any.

The copy of the affidavit submitted in the department vide no. A. 16756 on 01.9.2022 since is not available with the record, copy of the same is taken on record.

(Siddhartha Roy Chowdhury, J.)