

24.03.2022
4
SB
Ct. No.39

CRR 1767 of 2021
CRAN 3 of 2022
(via video conference)

In the matter of : Mead Johnson Nutrition Indian Pvt. Ltd.

Mr. Sudipta Sarkar
Mr. Sudhakar Prasad
Mr. Pradipto Bose ... for the petitioner

Mr. Ranabir Roychowdhury
Mr. Sandip Chakraborty for the State

Learned senior counsel appearing on behalf of the petitioner- company submits as follows. Although, the petitioner was not specifically named in the F.I.R. as an accused, the manufacturing company was indeed arraigned as an accused in it. However, it also true that after submission of charge sheet, the present petitioner was not made an accused nor was cognizance taken against it. At present there are three other accused who are being preceded against.

Learned counsel appearing on behalf of the State files a certified copy of the charge sheet and the order taking cognizance and submits as follows. Since the charge sheet has been submitted against some others and the present petitioner has not been named as an accused in the charge sheet, no application for quashing of the proceeding can be sustained at the behest of the present petitioner.

I have heard the learned counsels appearing on behalf of the petitioner and the State and have perused the revision petition

and the certified copy of the order sheet and the charge sheet submitted on behalf of the State.

It appears that a company without being specifically named was made an accused in the F.I.R.

However, it is also clear from the copy of the charge sheet that the present petitioner was not named as an accused in it. A charge sheet has been submitted against three others. Cognizance has also been taken of the alleged offences on the basis of such charge sheet.

Therefore, as of now, there is no proceeding pending against the present petitioner in respect of the instant case.

Therefore, an application for quashing of the impugned proceeding cannot be sustained at the behest of the present petitioner.

Accordingly, the revisional application, along with the connected application, is dismissed as having become infructuous.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)