

CRR 1387 of 2013
IA No: CRAN/1/2013(Old No. CRAN/2171/2013)
Ramu Jadav Vs-State of West Bengal & Anr.

An application under Section 482 of the Code of Criminal Procedure, 1973 read with Section 401,397 of the Code, 1973.

Mr. Bidyut Kr. Roy
Ms. Rita Dutta
...for the State.

None appears on behalf of the petitioner.

The present revisional application has been filed by the petitioner under Section 482 of the Code of Criminal Procedure for quashing of the proceeding in connection with Kumargram Police Station Case No. 233 of 2012 dated 25.7.2012 (corresponding to GR Case No. 1663 of 2012) under Sections 409, 420,120B of the Indian Penal Code, pending before the learned Additional Chief Judicial Magistrate-in-Charge, Alipurduar, Jalpaiguri.

The brief fact of the case is that the opposite party No. 2 being the Branch Manager of Alipurduar Cooperative Agriculture & Rural Development Bank Limited, Kamakhyaguri Branch, Jalpaiguri lodged a written complaint alleging inter alia that the petitioner mis-appropriated a sum of Rs. 3,56,600/- through S.B. Account No. 1790 belonging to one Sujit Paul and Rs. 6,300/- through Flexi savings account No. 2598 belonging to Sri Prafulla Das by making fake deposits entries in the saving ledgers of those two accounts. The aforesaid sum of money were never deposited in the aforesaid two accounts and no deposit slips vouchers were

available in the bank records. On the basis of the above facts, the FIR was registered against the petitioner and one other. Upon completion of investigation charge-sheet was submitted against the petitioner under Sections 409/420/120B of the Indian Penal Code and one other under Sections 420/120B of the Indian Penal Code.

Being aggrieved by and dissatisfied with the aforesaid proceedings the petitioner has preferred the present revisional application.

Mr. Bidyut Kr. Roy along with Ms. Rita Dutta, learned Advocates appearing on behalf of the State submits status report. The status report is taken on record. He submits that on the basis of primary materials charge-sheet has been submitted against the petitioner under Sections 409/420/120B of the Indian Penal Code and one other under Sections 420/120B of the Indian Penal Code and accordingly, the revisional application is liable to be dismissed.

It is found from Annexure P-3 at page 18 of the application that upon completion of investigation, the investigating agency on the basis of the primary materials has submitted charge-sheet against the petitioner under Sections 409/420/120B of the Indian Penal Code and another accused person under Sections 420/120B of the Indian Penal Code. The status report submitted by the State also reveals of similar fact. In view of the aforesaid, proceeding before the trial Court does not call for interference .

Accordingly, the present revisional application is dismissed.

It is however made clear that the observation made hereinabove 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.

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

(Bivas Pattanayak, J.)