

18.04.2022

Item No.37
Ct.No.34
dc.

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

**C.R.R. 2104 of 2021
with
CRAN 1 of 2021
with
CRAN 4 of 2022**

**CMORA Cargotech Private Limited & Ors.
versus
The State of West Bengal & Anr.**

In Re: An Application under Section 482 of the Code of Criminal Procedure, 1973 filed in connection with Hare Street Police Station Case No. 195 of 2021 dated 10.09.2021 (G.R. No. 984/21) under Sections 420/406/120B of the Indian Penal Code.

Mr. Ayan Bhattacharjee,
Mr. Satadru Lahiri,
Mr. Avishek Bhandari,
Mr. Aditya Ratan Tewary ... For the Petitioners.

Mr. Ranabir Roy Chowdhury,
Mr. Sandip Chakraborty ... For the State.

Mr. Moyukh Mukherjee ... For the Opposite Party No.2.

Affidavit-of-service filed in Court today be kept on record.

Written Objection filed on behalf of the petitioners against the vacating application, being CRAN 1 of 2021 preferred by the opposite party no.2 herein, be also kept on record.

Mr. Roy Chowdhury, learned advocate appearing for the State submits that the investigating authorities have already filed a closure report under Section 173 of the Code of Criminal Procedure on or about 05.04.2022.

In view of the submission made by the learned advocate for the State, this revisional application has become infructuous. As such, no order need be passed.

The investigating officer of the case prior to submission of report or at the time of submission of report was supposed to inform the *de facto* complainant regarding the outcome of the case.

Mr. Moyukh Mukherjee, learned advocate appearing for the opposite party no.2 submits that till date, no information has been received by the *de facto* complainant.

In view of the aforesaid, prior to final disposal, in respect of Hare Street Police Station Case No. 195 of 2021 dated 10.09.2021, regarding the closure report submitted, the *de facto* complainant/opposite party no.2 should be granted an opportunity by the learned Chief Metropolitan Magistrate, Calcutta or any Metropolitan Magistrate in seisin of the matter. If prayed for, the *de facto* complainant/opposite party no.2 may be handed over with the copies on which the prosecution has arrived at such conclusion.

With the aforesaid observations, the revisional application being CRR 2104 of 2021 is disposed of.

Interim order, if any, is hereby vacated.

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.)