

18.04.2022

Item No.13
Ct.No.34
dc.

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

**C.R.R. 2777 of 2019
with
CRAN 1 of 2021**

**Gagandeep Singh
versus
State of West Bengal & Anr.**

In Re: An Application under Section 482 read with Section 401 of the Code of Criminal Procedure, 1973 filed in connection with Howrah Cyber Crime Police Station Case No. 4 of 2018 dated 31.03.2018 under Sections 419/420/468 of the Indian Penal Code.

Mr. Shibaji Kumar Das ... For the Petitioner.

Mr. Swapan Banerjee,
Ms. Purnima Ghosh ... For the State.

Mr. Samrat Choudhury ... For the Opposite Party No.2.

Report dated 18.04.2022 submitted by Officer-in-Charge, Cyber Crime Police Station, Howrah City Police be kept on record.

Ms. Purnima Ghosh, learned advocate appearing for the State has produced the case diary.

I find that the accused/petitioner who has approached this Court with a prayer that a compromise has been effected between the parties is without any substance in view of the fact that the offences investigated are not only under Sections 419/420/468 of the Indian Penal Code but also under Sections 66C/66D of the Information Technology Act, 2000.

The case diary reflects that the present petitioner has escaped from transit remand at Delhi and subsequently a

case was registered with Barkhamba Road Police Station, New Delhi being FIR No. 76/2018 dated 01.07.2018.

The subject matter of the case as alleged involves interfering with banking transactions, although Mr. Das, learned advocate appearing for the petitioner submits that the transaction was not successful and the amount was returned to the complainant by the bank authorities.

Prima facie, the allegations as also the nature of transaction, the involvement, the mode and manner by which the alleged offence has been committed and the materials which have been surfaced in course of investigation make the same a case where public policy is involved and as such, this Court is not inclined to consider the issue of compromise between the *de facto* complainant and the present accused who happens to be the petitioner. The petitioner in this case has committed alleged offence which involves public policy and as such, should face the trial to prove his innocence.

Accordingly, the revisional application being CRR 2777 of 2019 along with CRAN 1 of 2021 is dismissed.

Interim order, if any, is hereby vacated.

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.)