

CRR 3931 of 2006

In the matter of : Paresh Chandra Sadhukhan & Anr.

Mr. Rahul Ganguly ... for the petitioners

Mr. N.P. Agarwal
Mr. P. K. Bose for the State

This is an application under section 482 of Cr.P.C. filed by Sri Paresh Chandra Sadhukhan and Sucheta Sadhukhan who have been arraigned as an accused in proceeding being G.R. Case No. 217 of 2001 registered on the basis of an order under Section 156(3) of Cr.P.C. by the learned S.D.J.M. Barrackpore on 13.1.2001 arising out of Barrackpore P.S. Case No. 2 / 2001 under Sections 420/468/384/506/120B of I.P.C.

This application was filed on 12.12.2006 and no stay order was passed.

It may be presumed that during last 16 years there was substantial development in the proceeding.

Mr. Ganguly, learned counsel representing the petitioners though argued vehemently in support of petition, highlighting that the dispute is serious in nature, I am not inclined to invoke the jurisdiction under Section 482 of Cr.P.C. to quash the proceeding at this stage. The petition is bereft of merit and accordingly dismissed. However, liberty is given to the petitioners to agitate all points taken in the petition in course of trial if it is pending before the learned Court.

However, there shall be no order as to costs.

The copy of the order be sent down to the learned Trial Court for information and necessary action.

The parties shall act upon the server copy 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 completion of requisite formalities.

(Siddhartha Roy Chowdhury, J.)