

07.03. 2022
item No.15
n.b.
ct. no. 34

CRR 1658 of 2020

**Ujjal Prosad Chattopadhyay & Anr.
Vs.
State of West Bengal & Anr.**

Mr. Dipanjan Dutta,
Mr. Souradeep Banerjeefor the Petitioners

Mr. Madhusudan Sur,
Mr. Dipankar Paramanick.
.....for the State

Mr. Shibaji Kumar Das,
Ms. Rupsa Sreemani
.. for the opposite party no.2

The present revisional application has been preferred challenging the proceedings arising out of Purulia(Sadar) Police Station Case no.123 dated 29.9.2020 under sections 120B/420/406/323/506 of the Indian Penal Code.

The subject matter of this case related to sum of Rs.40 lacs and further sum of Rs.53,11,673/- being paid by the private opposite party/complainant to the petitioner as requested and on his misrepresentation. The allegation is that the petitioner failed to clear the dues of Rs.93,11,673/-.

The present case was registered pursuant to a complaint dated 29.9.2020 by Purulia(Sadar) Police Station, prior to registration of the present case the private opposite party also filed two cases, firstly being Eco Park Police Station case no.158 of 2020 dated 01.9.2020 and the subject matter relating thereto was a copy paste of the allegations made in the present case being Purulia(Sadar) Police Station case No.123 dated 29.9.2020.

Needles to state that another case was registered as Rabindra Sarobar Police Station case no.169 dated 04.9.2020.

Having regard to that fact that on the same set of allegations Eco Park Police Station case no.158 of 2020 dated 01.9.2020 was already registered and as investigation of the same was in progress, I am of the opinion that the registration as well as continuance of investigation in respect of Purulia(Sadar) Police Station case no.123 dated 29.9.2020 is a abuse of the process of the Code and the same as such is liable to be quashed.

Accordingly, Purulia(Sadar) Police Station case no.123 of 2020 dated 29.9.2020 is hereby quashed and all orders passed therein are accordingly quashed.

Accordingly, CRR 1658 of 2020 is allowed.

All pending connected application, 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.

(Tirthankar Ghosh, J.)