

07.03. 2022
item No.16.
n.b.
ct. no. 34

CRR 1659 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 Rabindra Sarobar Police Station Case no.169 dated 04.9.2020 under sections 120B/420/406/323/506 of the Indian Penal Code.

The said case was registered on the basis of complaint dated 4.9.2020 which was addressed by the private opposite party no.2 who was also the complainant/defacto complainant in respect of Purulia(Sadar) Police Station Case No.123 dated 29.9.2020 and also in Eco Park Police Station Case No.158 of 2020 dated 01.9. 2020. The letter of complaint which was addressed to the Officer-in-charge Rabindra Sarabar Police Station was in respect of a sum of Rs.40 lacs and Rs.53,11,673/- aggregating to sum of Rs.93,11,673/- which was the claim amount of the complainant. The language and allegations set out therein are same/similar/identical to that of Purulia(Sadar) Police Station Case

No.123 dated 29.9.2020 and Eco Park Police Station Case No.158 of 2020 dated 01.9. 2020. In view of the allegations made in both the FIR being same I am of the opinion that the present being the later FIR, the investigation of the same should not be allowed to continue and is, therefore, liable to be quashed.

Accordingly, all further proceedings arising out of the Rabindra Sarobar Police Station Case no.169 dated 04.9.2020 pending before the Chief Judicial Magistrate, Alipore is hereby quashed.

Accordingly, CRR 1659 of 2020 is allowed.

All pending connected application, if any, are consequently disposed of.

Interim order, if any, is hereby made absolute.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)