

11.01.2023

Item No.16
Ct.No.34
dc.

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

C.R.R. 180 of 2021

**Vishal Khemka
versus
The State of West Bengal & Anr.**

In Re: An Application under Section 482 of the Code of Criminal Procedure, 1973.

Mr. Ayan Bhattacharjee,
Mr. Joydeep Mishra ... For the Petitioner.

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

Attention of this Court has been drawn to the judgements delivered in CRR 4058 of 2009 and CRR 710 of 2011. The judgements passed therein reflect that the proceedings against Amit Luharuka @ Amit Loharka and Rishi Somani @ Rishi Kumar Somani have been quashed.

The records reflect that the disputed sum of Rs.25.39 lakh was repaid to the *de facto* complainant. So far as the complicity of the present petitioner viz. Vishal Khemka is concerned, on perusal of the statements and documents, it reflects that he is circumstantially and similarly situated with the other accused persons against whom the proceedings arising out of Hare Street Police Station/DD (Special Cell) Case No. 536 dated 15.10.2009 have been quashed.

In view of the aforesaid, I am of the opinion that further continuance of the proceedings, so far as the present petitioner is concerned, is unwarranted and the same is also quashed.

Accordingly, the revisional application being CRR 180 of 2021 is allowed.

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.)