

16.01.2023

Court No.35
Item No. 9

CRR 2462 of 2015

D.Hira

**Soumya Subhra Bose & Anr.
Vs.
The State of West Bengal & Anr.**

Mr. Sandipan Ganguly, ld. Senior adv.,
Mr. Amitava Mitra,
Mr. Dipanjan Dutt,
Ms. Antara Chaudhury,
Mr. Surajit Saha.

... for the petitioners

Mr. Dhananjay Nayak.

... for the OP no. 2

Mr. Ranadeb Sengupta.

... for the State

This is an application under Section 482 of the Code of Criminal Procedure filed by the two (2) petitioners to pray for quashing of the proceedings of G.R. Case No. 3106 of 2013 pending in the Court of Judicial Magistrate, 3rd Court, Siliguri. The connected police case is Matigara Police Station Case No. 461 dated 17.09.2013 under Sections 448/323/34 of the Indian Penal Code.

Petitioners are the Deputy Manager and the Collection Manager of L & T Finance Limited, Sevoke Road, District Jalpaiguri. Against them the FIR was lodged on 17th September, 2013, with the allegations of intimidation, threat, theft, outraging of modesty. The investigation was proceeded with and culminated into filing of charge-sheet against the petitioners in the Trial Court under Sections 448/323/34 of the Indian Penal Code.

It is learnt that the Trial Court has already commenced trial and examination of PW 1 has already taken place.

Under such circumstances, it is found proper not to interfere into the impugned order in this revision. Without going into merits of the

case, it is found appropriate that the matter be disposed of with the observation that the petitioners shall be at liberty to espouse the points taken by them in this revision case, before the Trial Court at an appropriate stage.

It is made clear that the merits of the case has not been gone into or the points of the respective parties have not been dealt with in any manner by this Court.

All the points are kept open to be decided by the Trial Court, if agitated.

With directions as above, the revision case is disposed of.

Interim orders, if any, stand vacated.

All pending applications, if any, are consequently disposed of.

Certified website copies of this order, if applied for, be supplied to the parties subject to compliance with all the requisite formalities.

(Rai Chattopadhyay, J.)