

Court No. 34

20.12.2023

(AD 33)

(S. Banerjee)

CRR 4863 of 2023

In re: Ajit Kumar Guchhait

... petitioner

Mr. Subhajit Panja

... for the petitioner

The petitioner has challenged the proceeding of Daspur Police Station Case No. 58 of 2016 wherein the investigating agency, on conclusion of investigation, submitted charge-sheet under Section 406/409 of IPC. The summery of the allegations against the present petitioner, who retired as a Manager of Joteghanashyam Samabay Krishi Unayan Samity Limited, is that at the time of inspection it was found that huge amount of money was misappropriated in lieu of agricultural loan, there were expenditure relating to huge amount of money without any voucher and the petitioner has taken salary in a month twice during his tenure. Learned advocate for the petitioner submits that there are no supporting materials to substantiate the allegations.

I find from the report under Section 173 Cr.P.C. that the prosecution has relied upon 12 witnesses and number of documents. The revisional application is not enclosed with the documents under Section 207 of

Cr.P.C. which are proposed to be relied upon by the prosecution.

Accordingly, the petitioner is granted liberty to take out an appropriate application before the learned trial court in the nature of Section 239/227 Cr.P.C.

Learned trial court at the time of consideration of charges will take into account the contentions advanced by the petitioner without being influenced by any observation made by this court.

With the above observation CRR 4863 of 2023 is disposed of.

All parties are directed to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

(Tirthankar Ghosh, J.)