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September 26, 2023.
GSD

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

CRR 151 of 2022

In the matter of: Manas Tarafdar

.... Petitioners

None appears for the petitioner as well as for the State.

The present revisional application has been preferred challenging the continuance of Siliguri P.S. Case No. 365 of 2022 dated 15.4.2022.

The records of the revisional application reflect that in the letter of complaint, there was allegation that an amount of Rs.6,00,000/- and Rs.9,40,000/- was paid by the complainant which has been wrongfully retained by the accused/petitioner.

Having regard to the fact that the stage at which the present petitioner approached this Court and the investigation of the case was under progress and that none represented the petitioner on 8.5.2023 in the earlier Circuit and today also, when the matter has been called on, none represented the petitioner, I am of the view that further pendency of the present revisional application is unwarranted as, prima facie, FIR makes out an offence.

However, the petitioner would be at liberty to take up the issues before the jurisdictional Court as the investigating

agency in this case, till date, has not filed a report under Section 173 of the Cr.P.C.

With the aforesaid observations, CRR 151 of 2022 is disposed of.

Pending application, if any, is also disposed of.

Parties shall act on the server copy of this order, duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)