

09.02.2024
SL No. 14
Ct No. 7
SB

C.R.R. 338 of 2020

In the matter of: Mr. Dhiren Raghvji Bheda

None appears on behalf of the either of the parties even on second call. Nor any accommodation is prayed for on their behalf.

This matter is running in the list since 5th June, 2023. Repeated directions were given to the parties. However they did not appear even on last date, when the parties were directed to ensure their appearance on the adjourned date, i.e today, otherwise, necessary order would be passed on the basis of the materials available on record.

Hence this matter is taken for passing of order.

This revisional application under Sections 401/ 482 of Cr.P.C. has been preferred by Mr. Dhiren Raghvji Bheda, the petitioner wherein prays for quashing of the proceedings being Complaint Case No. CS/46766 of 2019 under Sections 420/406/409/120B of the Indian Penal Code pending adjudication in the Court of learned 12th Metropolitan Magistrate, Calcutta.

Perused the impugned order and also the order dated 19.9.2019 passed by the learned Chief Metropolitan Magistrate, whereby he taken cognizance of offences punishable under Sections 420/406/409/120B of the Indian Penal Code upon the complaint filed by M/s Shruti Embroidery Pvt. Ltd. It appears from the materials on record that he transferred the complaint to learned Metropolitan Magistrate 12th Court for enquiry and disposal. He examined Sudhir Kumar Bhagat, Shankar Saraff during the course of inquiry and initiated proceedings against them after getting prima facie material to issue summons. Hence, he ordered to issue summons upon the accused on 26.09.2019. The petitioner became aggrieved by the said order by which this proceeding

was initiated and the order dated 19.09.2019 of the learned CMM, Calcutta by which he taken cognizance of the offence.

I do not find any irregularity in the said order.

Accordingly, the revisional application is disposed of along with all connected applications.

The interim order, if any, stands vacated.

Urgent Photostat certified copy of this order, if applied for, be given to the parties upon completion of requisite formalities.

(Uday Kumar, J.)