

09.02.2024
SL No. 15
Ct No. 7
SB

C.R.R. 339 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.

Accordingly, this matter is taken up today for passing of order.

This revisional application under Sections 401/482 of Cr.P.C. has been preferred by Mr. Dhiren Raghvji Bheda, wherein he prays for quashing of the proceedings of Complaint Case No. CS/48156 of 2019 under Sections 420/406/409/120B of the Indian Penal Code which is pending in the Court of learned 12th Metropolitan Magistrate, Calcutta and the order of cognizance taken on 24.09.2019 by Id. CMM, Calcutta.

I have perused the materials on record. One M/s S F Creations Pvt.Ltd filed the petition of complaint under Sections 406/409/420 read with Section 120B of the Indian Penal Code, 1860 on 24.09.2019 against the petitioner Dhiren Raghvji Bheda and other accused persons. On that very day learned C.M.M, Calcutta has taken cognizance of the offence and transferred the file to the Court of learned M.M, 12th for inquiry and disposal. According to the law after receiving the record from the Court of learned C.M.M, complainant as well as one witness were examined under Section 200 Cr.P.C by learned M.M,12th Court, Calcutta. Considering on the initial deposition of both the witnesses namely Sudhir Kumar Bhagat and Shankar Saraff

were examined under Section 202 Cr.P.C and the documents produced by the complainant. Learned M.M, 12th find prima facie case under Section 406/409/420 read with Section 120B of the IPC have been made out against the accused persons including revisionist/petitioner. Accordingly, he ordered the issue of summons against the accused persons under Sections 406/409/420 read with Section 120B of the IPC on 18.10.2019. Thereby, proceeding of complaint case no. CS/48156/2019 was initiated against them. Nothing appears from the order and material on record.

I do not find any irregularity in the said order as it was passed consonance of the provision of law. I do not think any intervention of this Court is necessary.

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.)