

19.03.2024
Serial no. 149
[G.S.D]

CRR 1148 of 2024

In the matter of : Mitrapada Ganguli

... .. Petitioner

Mr. Soumik Ganguli
Mr. Debangshu Bandhu

... for the petitioner

The petitioner has challenged the proceedings of Bankura P.S. Case No. 239 of 2023 dated 13.7.2023.

The crux of the case relates to the fact that the property, which was allowed to be sold, was actually mortgaged with the NBFC.

The Id. Advocate submits that the petitioner is paying regular monthly instalments.

However, I find that the petitioner has received substantial amount from the complainant and is not in a position to register the property in favour of the complainant/o.p. thereby depriving the private opposite party from actual ownership.

However, the investigation of the case is under progress.

Ld. Advocate for the petitioner insists that by virtue of the order of the civil court his possession cannot be disturbed.

Having regard to the statements so advanced on behalf of the petitioner and the stage of the case, I am of the view that the investigation of the case be taken to its logical conclusion within a reasonable period of time.

Petitioner would be at liberty to approach this court after the report under section 173 of the cr.p.c. is filed before the Id. Jurisdictional court and the documents under section 207 of the cr.p.c. are supplied to him

With the aforesaid observations, CRR 1148 of 2024 is disposed of.

Pending application, if any, is also disposed of.

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

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)