

29.04.2024
Serial no. 2
[G.S.D]

CRR 1172 of 2024
With
CRAN 1 of 2024

In the matter of : Gopi Kanikanti

... .. Petitioner

Ms. Subhasree Patil
Mr. Soham Banerjee

... for the petitioner

Mr. Santanu Talukdar

... for the Opposite Party

Mr. Debasis Roy
Mr. Arijit Ganguly
Ms. Sreemoyi Roy

... for the State

Report submitted by the State be kept with the
record.

The report has been enclosed along with the
statement of the complainant. The complainant claims that
there has been amicable settlement in respect of the
disputes and differences.

I find that Cyber Police Station Case No. 69 of 2023
dt. 24.7.2023 was registered for investigation under sections
66C/66D/84B of IT Act and Sections
419/420/465/467/468/471 of the IPC.

I have considered the totality of the circumstances,
and I find that the accused by opening a fake website

claimed himself to be popular company and for offering a franchise obtained money from the petitioner.

Having considered the nature of the offence complained of and the degree of guilt involved, I am of the view that the present case is barely in the nature of cheating by way of deception rather than any intricate offence relating to Cyber Crime, which would involve public policy.

Having regard to the changed circumstance, particularly, as the complainant has received the amount and do not intend to pursue with the instant case, I am of the considered opinion that further continuation of this case may not fetch any purposeful result.

Accordingly, all further proceedings of Cyber Police Station Case No. 69 of 2023 dated 24.7.2023 under sections 66C/66D/84B of the IT Act and sections 419/420/465/467/468/471 of the IPC pending before the CMM, Calcutta, is hereby, quashed.

With the aforesaid observations, CRR 1172 of 2024 along with CRAN 1 of 2024 is **Allowed**.

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.)