

06.02.2024

Item No.7
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 1519 of 2022

In the matter of : **Shyama Prasad Porel & Anr.** ... Petitioners.

Mr. Sk. Toslim Ali ... For the Petitioners.

Mr. Neguive Ahmed,
Ms. Trina Mitra ... For the State.

Affidavit-of-service filed by the petitioners be kept with the record.

Learned advocates for the petitioners and the State are present.

I have perused the allegations made in the FIR and letter of complaint which has its genesis in the present case. The petitioners approached this Court at a stage when the case was being investigated. The very foundation on which the petitioners prayed for quashing was an order passed on 16.03.2022 by a co-ordinate Bench of this Court in C.O. No. 114 of 2022. The said order permitted the present petitioners to carry out repairs in the submersible pump.

The learned advocate for the petitioners submits that the same was a civil dispute and the petitioners have been roped in by way of false allegations while initiating the present case.

I have considered the submissions advanced on behalf of the petitioners and I find that so far as the civil dispute is concerned and the nature of the allegations in the letter of complaint is concerned both are distinct and different. So far as truth or falsity in respect of the allegations are concerned,

this Court while exercising its power under Section 482 of the Code of Criminal Procedure will not embark upon an enquiry to find out regarding the genuineness of the allegations. Having regard to the same, I am of the view that the petitioners will be at liberty to approach this Court at the appropriate stage. No interference is made in respect of the present revisional application.

Accordingly, the revisional application being CRR 1519 of 2022 is disposed of.

Pending connected application, if any, is consequently disposed of.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

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

(Tirthankar Ghosh, J.)