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CRR No. 2193 of 2024

In Re: Atiar Rahaman Gazi

Mr. Manas Kr. Das
.... **For the Petitioner**
Mr. Debasish Roy
Mr. Arijit Ganguly
Mr. Ivan Roy
.... **For the State**

Affidavit of service filed by the petitioner is taken on record.

None appears for the private opposite party despite service.

The petitioner seeks quashing of charge-sheet in G.R. no. 679 of 2019 pending before the learned Chief Judicial Magistrate, Hooghly on the ground that he has been falsely implicated and has no nexus whatsoever with the deposit of an amount of Rs. 9,000/- in his bank account.

Learned counsel for the State submits that written complaint was submitted by the private opposite party to the effect that when he went to withdraw money from the SBI ATM counter at Khadina more, his account reflected insufficient cash. On approaching the Bank, he learnt that Rs.40,000/- was withdrawn from his account out of which Rs.9,000/- was transferred to the account of the petitioner.

It transpired during investigation that upon receipt of the said amount in his account the petitioner has withdrawn the same.

Charge-sheet has been submitted against the petitioner under Sections 406/420/120B of the Indian Penal Code.

Whether the petitioner is involved in the alleged offence or had no control over deposit of the amount in his account is required to be adjudicated by the learned trial Court by examining witnesses at the

appropriate stage of the proceedings. The matter relates to several factual aspects which cannot be dealt with by this Court in an application under Section 482 of the Code of Criminal Procedure. It is too early to record that no allegation has been made out against the petitioner and the complaint against him be quashed.

In view of the above, the revisional application being CRR 2193 of 2024 is dismissed.

There shall be no order as to costs.

However, the learned trial Court is directed to take necessary steps for consideration of charge and conclusion of trial as expeditiously as the business of the Court would permit, without granting any unnecessary adjournment to either of the parties, in accordance with law.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)