

Court No. 6
(265940)

05.10.2024

(AD 35)

(S. Banerjee)

CRR 3646 of 2024

Shri Chandi Prasad Singha

Versus

The State of West Bengal & Anr.

Ms. Tanuka Basu

... for the petitioner

Petitioner submits that the present case was registered at Sainthia Police Station alleging theft of mobile phone bearing IMEI Nos. i) 35612908837896 and ii) 356130108837894 and SIM No. 9674140269.

During investigation of another case, being Kamarkundu GRPS Case No. 17/2023 dated 27.09.2023, the SIM card bearing the same number was recovered from one co-accused namely, Debojyoti Roy. Thereafter the SIM card was seized in the present case. Charge-sheets have been filed in GRPS 17/2023 adding Section 379 of the Indian Penal Code.

In this backdrop, petitioner prays for quashing of the present case.

I have considered the materials on record. Present case was registered alleging theft of mobile phone having

IMEI Nos. i) 35612908837896 and ii) 356130108837894 and SIM No. 9674140269.

Uncontroverted allegations unequivocally disclose theft of SIM and its wrongful utilization for criminal purposes.

In such view of the matter, no case for quashing of the impugned criminal proceeding is made.

It will be open to the parties to seek amalgamation of both the criminal cases before the jurisdictional court in accordance with law.

(Joymalya Bagchi, J.)