

24-04-2024
Subha
Item no. 14
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
CRR 3767 of 2023

Kishore Srinivasan
-versus-
State of West Bengal and anr.

Mr. Bikash Ranjan Bhattacharya, Sr. Adv,
Mr. Sandipan Ganguly, Sr. Adv,
Mr. Satadru Lahiri
Mr. Vikash Singh
Ms Kanchan Jaju
....for the petitioner.

Mr. Sudipta Kumar Bose
...for the O. P No.2.

Mr. Rudradipta Nandy, Id. APP
Mr. Mainak Gupta
....for the State.

The memorandum of evidence submitted on behalf of the
State be kept with the record.

In the last paragraph of the memorandum of evidence the
Investigating Officer associated with the Anti Fraud Section, DD
has observed as follows:-

*“ During investigation of this case it is revealed that
the incident mentioned in this case has happened
sometimes between 23/09/2003 and 16/02/2012
but the present petitioner namely Shri Kishore
Srinivasan was not associated with M/S Pegasus
Assets Reconstruction Private Limited prior to the year
2018. The present petitioner Shri Kishore Srinivasan
was attached with M/S Avendus Capital Private
Limited from 06/12/2007 to 31/01/2010 and with
M/S Edelweiss Alternative Asset Advisors Limited
from 01/02/2010 to 07/08/2014. He joined at M/S
Pegasus Assets Reconstruction Private Limited as*

Chief Executive Officer (CEO) on 24/01/2018. Presently, Shri Kishore Srinivasan is holding the post of Managing Director (MD) and Chief Executive Officer (CEO) of M/S Pegasus Assets Reconstruction Private Limited.”

In order to substantiate the same, the case diary was checked. Mr. Nandy, learned Additional Public Prosecutor appearing on behalf of the State on query from this court pointed out to the documents which reflect that the present petitioner being *Kishore Srinivasan* was attached with M/S Avendus Capital Private Limited from 06/12/2007 to 31/01/2010 and M/S Edelweiss Alternative Asset Advisors Limited from 01/02/2010 to 07/08/2014.

Having regard to the period of offence which according to the complainant as well as the Investigating Officer is between 23rd September, 2003 and 16th February, 2012, I am of the view that since at the relevant period of time the petitioner was not associated and employed in a different institution, the complicity of the present petitioner do not arise.

Accordingly, further proceedings so far as the present petitioner namely Kishore Srinivasan is concerned relating to New Aliopore P. S. Case No. 69/23 dated 25-07-2023 before the learned Chief Judicial Magistrate, Alipore is hereby quashed.

The investigation of the case in respect of the other accused persons are in progress. As such, the Investigating Officer is directed to continue with the investigation and the present order is restricted only to the petitioner namely, Kishore Srinivasan.

Accordingly, the revisional application being CRR 3767 of 2023 is allowed.

Pending any other applications, if any, are consequently disposed of.

Case diary be returned to the learned advocate for the State.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]