

13.03.2025
Item no. 18
Ct.7
PG/KS

C.R.R 318 of 2015
With
C.R.A.N. 1 of 2015 (Old C.R.A.N. 1227 of 2015)

Gauresh Kumar Daga @ G.K. Daga @
Abhishek @ Abhishek Maheshwari
Vs.
The State of West Bengal

This is an application under section 482 of the Code of Criminal Procedure, 1973 filed by the petitioner for quashing of the First Information Report arising out of Park Street Police Station Case No. 460 dated 27.11.2014, alleging commission of offences punishable under sections 420/120B of the Indian Penal Code (corresponding to G.R. No. 2610 of 2014).

The matter was moved before this Hon'ble Court on 05.02.2015 when direction was given to the petitioner to serve notice upon the State/opposite party through the learned Public Prosecutor, High Court, Calcutta and granted stay of all further proceedings in connection with Park Street Police Station Case No.460 dated 27.11.2014 was allowed for a period of 10 weeks or until further order whichever is earlier.

After that the matter again appeared on 29.04.2015 when liberty was granted to the petitioner to implead the de facto complainant. On 11.05.2015 when the matter appeared for extension of interim order, it was further extended for a period of

4 weeks and directed the matter to appear as “Contested Application”.

On 31.08.2016, the matter appeared when none was present on behalf of the petitioner and/or the de facto complainant and it was specifically observed by the Coordinate Bench of this Court that “if none appears to represent the petitioner on the next date fixed, i.e. 21.09.2016, then the revisional application will be dismissed for default”.

The matter again appeared on 14.07.2022 when also none appeared on behalf of the petitioner and Mr. Arijit Ganguly, with Mr. Sandip Chakraborty, learned advocates were requested to appear in this case on behalf of the opposite party no.1/State of West Bengal and the State was also directed to submit a status report with regard to the proceeding before the learned Trial Court. Since, thereafter State sought for accommodation to file status report and today neither the learned advocates are present before this Court nor a status report has been filed.

In view of the above facts and circumstances and considering the direction of the Coordinate Bench of this Court and the conduct on the part of the petitioner, this Court is of the view that there is no reason to keep the matter pending, when it is already pending for the last 10 years.

Furthermore, the matter was running in the Warning List since 20.02.2025. In view of the same, criminal revisional application being, C.R.R 318 of 2015 stands dismissed for default

along with the connected application (C.R.A.N. 1 of 2015 (Old C.R.A.N. 1227 of 2015)).

Let a copy of this order be sent to the Court below by the Department forthwith.

All parties are directed to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

(CHAITALI CHATTERJEE (DAS), J.)