

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

**Present:  
The Hon'ble Justice Debangsu Basak**

**CRR 1549 of 2025**

**Manoj Roy & Ors.**

**Vs.**

**State of West Bengal & Anr.**

|                             |                                                                                                                             |
|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------|
| For the Petitioners         | : Mr. Amarta Ghose, Advocate<br>Mr. Souryadeep Ghosh, Advocate<br>Mr. Saikat Sha, Advocate<br>Mr. Soumya Banerjee, Advocate |
| For the State               | : Mr. Suman De, Advocate<br>Ms. Suparna Chatterjee, Advocate                                                                |
| For the Opposite Party No.2 | : Mr. Krishan Ray, Advocate<br>Mr. Tamal Banerjee, Advocate<br>Ms. Isita Kundu, Advocate                                    |
| Hearing & Judgment on       | : September 10, 2025                                                                                                        |

**DEBANGSU BASAK, J.:-**

1. Supplementary affidavit filed in Court be taken on record.
2. Petitioners seek quashing of a criminal complaint in which a charge sheet stands submitted before the jurisdictional Court.
3. Learned Advocate appearing for the petitioners submits that, the petitioners are falsely implicated. He refers to the supplementary affidavit and submits that, the de facto complainant filed a civil suit being Title Suit No.340 of 2014 in the Court of the learned Civil Judge (Sr. Division) at Baruipur against a company. He submits that, none of the petitioners before this Court are party-defendant in such civil suit.

4. Learned Advocate appearing for the petitioners refers to the schedule of the civil suit. He submits that, the property involved in such civil suit is different than the property is owned by the company.
5. Learned Advocate appearing for the petitioners draws the attention of the Court to the contents of the formal complaint of the de facto complainant. He submits that, it refers to an incident of March, 2018. The civil suit filed by the de facto complainant was in 2014. The de facto complainant failed to obtain any favourable order in the civil suit and thereafter proceeded to falsely implicate the petitioners.
6. Relying upon **(2023) 20 Supreme Court Cases 219 (Mohd. Wajid and Another vs. State of Uttar Pradesh and Others)**, learned Advocate appearing for the petitioners submits that, repeated police complaints should not weigh with the Court while considering an application for quashing.
7. Learned Advocate appearing for the petitioners submits that, the materials disclosed by the State at the trial after framing of the charge do not suggest that, there is a criminal case as against the petitioners.
8. Learned Advocate appearing for the State submits that, the police conducted investigation and on finding that, there are materials to send the petitioners for trial, submitted a charge sheet.
9. Learned Advocate appearing for the de facto complainant submits that, the petitioners are involved in land grabbing in the locality. He refers to the bunch of documents and submits that, there are at least 20

complaints of similar nature as against the petitioners. He submits that, the issues sought to be raised by the petitioners in this revisional application are subject-matter of trial.

10. A police complaint was lodged as against the petitioners by the de facto complainant with regard to the incident claimed to be occurring on March 18, 2018 at Sonarpur Police Station being FIR No.433 of 2018 dated March 20, 2018.
11. On such police complaint, police undertook an investigation and submitted a charge sheet with the jurisdictional Court as against the petitioners.
12. There are apparently 20 criminal complaints of similar nature as against the petitioners.
13. ***Mohd. Wajid and Another*** (supra) is of the view that, right of a citizen not to be disturbed without sufficient grounds as one of the underlying mandate of Article 21 of the Constitution. It also recognizes the requirement and need to balance the law enforcement power and protection of citizens from injustice and harassment to be maintained.
14. In ***Mohd. Wajid and Another*** (supra), an application for quashing a criminal complaint involving dacoity was considered. Hon'ble Supreme Court in the peculiar facts and circumstances of such case proceeded to quash the criminal complaint against the accused therein.
15. In the facts and circumstances of the present case, there are 20 criminal complaints lodged by different persons in the locality which

involves similar allegations as that of the present police complaint. In fact, in some of the criminal cases provisions of the Arms Act are also involved.

16. Materials in the case diary required filing of a charge sheet which the police did on completion of the investigation.
17. In considering an application for quashing of a criminal complaint, a Court is not required to hold a mini trial. The complaint cannot be classified as absurd or without any basis. Charge sheet discloses a triable case to be made out.
18. In the facts and circumstances of the present case, I am not in a position to arrive at a finding that, the criminal complaint and the materials in the case diary do not disclose commission of a cognizable offence. I am also not in a position to hold conclusively that the criminal complaint was actuated by extraneous consideration or was filed *mala fide* to harass the petitioners.
19. In such circumstances, I find no merit in the present application.
20. **CRR 1549 of 2025 is dismissed.**

**(Debangsu Basak, J.)**