

Form No. J(1) .

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

Present:

The Hon'ble Justice Md. Shabbar Rashidi

CRR No. 3550 of 2025

**Mr. Sukumar Dafadar & Anr.
Versus
The State of West Bengal & Anr.**

For the appellants: Mr. Harpal Singh, Adv.
 Mr. Pronojit Singh, Adv.
 Mr. Sanjay Kr. Shaw, Adv.

For the respondents: Mr. Debanjan Bhattacharjee, Adv.
 Mr. Arnab Dutta, Adv.
 Ms. Labani Dey, Adv.
 Mr. Tathagata Ganguly, Adv.
 Mr. Sudipta Mahapatra, Adv.
 Ms. Mohona Bandopadhyay, Adv.

Heard on : 11th September, 2025

Judgment on: 11th September, 2025

Md. Shabbar Rashidi, J.:-

1. The affidavit of service filed in Court today is taken on record.
2. Learned advocates for the parties are present.
3. The revisional application has been filed seeking quashing of the complaint Case being AC 4385 of 2019, pending against the petitioner before learned 7th Court, Judicial Magistrate, Alipore, South 24-Parganas.
4. It has been submitted on behalf of the petitioner that the petitioner happens to be the Branch Manager/ Chief Manager of Canara Bank, Jadavpur Branch. The mother of the private respondent has locker in the said branch. It is the allegation that after the demise of his mother, the private opposite party went to the branch seeking an inspection of the locker. At that time, the petitioners are said to have misbehaved and abused the private opposite party. In consequent thereof, the private opposite party filed a complaint being No.4385 of 2019. After the examination of the complaint under Section 200 of the Code of Criminal

Procedure, cognizance of the offence was taken under Sections 323/342/500/506/120B of the Indian Penal Code.

5. The learned advocate appearing on behalf of the petitioner submits that no such incident ever occurred. Given the position of the petitioners, they cannot be expected to behave in the manner, which has been alleged in the complaint. Learned advocate for the petitioner further submits that the petitioners have been falsely implicated in the case out of grudge. In such circumstances, the petitioners have come up before this Court in terms of Section 482 of the Code of Criminal Procedure for quashing of the proceeding.

6. The private respondents/opposite party no.2 are represented.

7. It is submitted on behalf of the opposite party no.2, that he approached the petitioners for inspection of the locker, belonging to his mother, lying in the branch, where the petitioners were posted at that time. They were misbehaved and abused by the petitioners.

8. I have gone through the materials placed with the record including the petition of complaint. The petition of complaint discloses that on October 9, 2001, the private opposite party no.2 approached the bank and requested for inspection of the bank. At that time, the present petitioners are said to have accused the private opposite parties. The language used by the petitioners has been noted in verbatim in the petition of complaint.

9. It further transpires from the record that taking into consideration, the allegations made in the petition of complaint as also the examination of the private opposite party under Section 200 of the Code of Criminal Procedure, the learned trial Court proceeded to take cognizance of the offence under Sections 323/342/500/506/120B of the Indian Penal Code.

10. Subsequently, the petitioners appeared in such case and obtained bail. Later on, the bail was cancelled due to non-appearance of the petitioners. The warrant of arrest was issued against the petitioners. The petitioners thereafter appeared again and prayed for interim bail as on date.

11. From the materials on record, it transpires that a competent Court has already taken cognizance of offence and the petitioners have appeared in such case. Whether or not, the allegations made in the complaint are to be considered after taking evidence on behalf of the parties at the trial.

12. In such circumstances, I find no merit to quash the proceeding being Complaint Case No.4385 of 2019. Consequently, the revisional application being CRR 3550 of 2025 is dismissed.

13. There shall however be no order as to costs.

(Md. Shabbar Rashidi, J.)