

26.02.2025
Item No. 11
Ct No. 28
SG

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

C.R.R. No. 4029 of 2024

In the matter of: **Satrughana Samanta.**

.....petitioner

Mr. Jayanta Narayan Chatterjee, Sr. Adv.
Mr. Supreem Naskar,
Ms. J. Patra,
Ms. S. Ghosh,
Ms. R. Banerjee,
Ms. P. Singha,
Mr. B. Mondal.

...for the petitioner

1. Supplementary affidavit is placed on record.
2. Petitioner submits he is the owner of a foreign liquor shop. Opposite party no. 2 is a civic volunteer and cannot be treated as a public servant. They intervened and harassed the petitioner. When he objected a criminal case was slapped on him. Accordingly, he prays for quashing of the impugned proceeding.
3. I have considered the materials on record including the annexures in the supplementary charge-sheet. In the FIR it is alleged on 18.05.2024 at 2.15 AM petitioner and his associates had assaulted the civic volunteer and snatched away his torchlight and lathi. Though it is contended allegations are *mala fide* and levelled to cover up the excesses at the end of the civic volunteer, I note materials collected during investigation

including medical document corroborates assault on the civic volunteer. It cannot be said the allegations are not supported by material evidence.

4. The other issue of *mala fides* is a question of fact which requires to be agitated at the appropriate stage of the proceeding. Hence, I do not wish to interfere with the proceeding at this stage.
5. Accordingly, application being CRR 4029 of 2024 is dismissed.
6. It is open to the petitioner to canvass his defences at the appropriate stage of the proceeding in accordance with law.

(Joymalya Bagchi, J.)