D/L – 35
05/10/2026
Court No.42
S.Kundu

CRR 2394 OF 2024

Durgarao Chilukuri & Ors.
Vs.
M/s. Shriram City Union Finance

Mr. Ooiseeroop Sinha

...for the State.

1. None appears to represent the parties on call.
2. The State, though not a party in the matter, however, to assist the Court, the learned counsel for the State, by the order dated 28th September 2026, was directed to serve notice to the petitioners as well as the opposite party no. 2 through the jurisdictional police station intimating that the matter will appear in the list of this Court on 5th October, 2026 and to file a report thereto.
3. Pursuant to such order, a report dated 3rd October, 2026 has been filed by the jurisdictional police Station wherefrom it appears that the Opposite Party No. 2 has refused to accept the said notice. Let the said report be taken on record.
4. The present matter has been running in the List of this Court since 15th June, 2026. Despite repeated directions of this Court, the petitioners have not taken steps for representation in the matter.
5. In view of the long pendency of the matter and the lackadaisical approach of the parties, I am constrained to dispose of the matter on the basis of the materials already available on record.

6. The petitioners, by the present revisional application under Section 401 read with Section 482 of the Cr.P.C., sought setting aside of the order dated 18th March 2024 passed in Complaint Case No. CNS/3173/2024 under Sections 406 and 420 of the IPC and quashing of the subsequent criminal proceedings arising therefrom, pending before the 11th Court of the learned Metropolitan Magistrate, Calcutta.
7. On perusal of the said order dated 18th March 2024, it appears that on the examination of the complaint along with annexed documents filed by the complainant, the impugned criminal proceeding being CNS/3713/2024 was initiated and cognizance of the offence under Sections 406 and 420 IPC against the petitioners was taken by the 2nd Court of the learned Additional Chief Metropolitan Magistrate, Calcutta. The case record was thereafter transferred to the 11th Court of the learned Metropolitan Magistrate, Calcutta for enquiry and disposal.
8. Upon such transfer, the learned Magistrate, by the order dated 25th April, 2024, upon finding sufficient grounds to proceed against the petitioners for commission of offences under Sections 406 and 420 of the IPC, issued summons.
9. I have perused the order dated 25th April, 2024 passed by the 11th Court of the learned Metropolitan Magistrate, Calcutta. It appears therefrom, that the learned Magistrate examined the complainant on

solemn affirmation under Section 200 Cr.P.C. and another witness as well as examined the documents on record to come to a finding that there are sufficient grounds to proceed against the petitioners for commission of offences under Sections 406 and 420 of the IPC, and accordingly issued summons against them.

10. I do not find any patent illegality, infirmity or irregularity either in the order impugned or in the connected criminal proceeding pending before the 11th Court of the learned Magistrate, Calcutta warranting interference of this Court in its revisional jurisdiction, as such I am not inclined to grant relief, as prayed for by the petitioners.
11. Accordingly, C.R.R. 2394 of 2024 is dismissed on merits.
12. Connected pending applications(s), if any, are also disposed of accordingly.
13. Interim order, if any, stands vacated forthwith.
14. There shall be no order as to costs.
15. Urgent photostat copies of this order, if applied for, be supplied to the parties, upon compliance with all requisite formalities.

(Uday Kumar, J.)