

Sl. No.85.
15.06.2026
Suman
Ct. 237

CRR 4649 of 2025

Rabi Paul
Vs.
The State of West Bengal and Anr.

Ms. Ameena Kabir
Ms. Farah Anjum
..for the petitioner

Mr. Sandeep Prasad Shaw
..for the State

The petitioner seeks quashing of the proceedings arising out of Taratala Police Station Case No. 13 of 2017 dated 17.01.2017, corresponding to CGR No. 235 of 2017, along with Charge Sheet No. 7 of 2019 dated 29.01.2019, under Sections 408/120B of the Indian Penal Code, presently pending before the learned 9th Judicial Magistrate at Alipore, South 24 Parganas.

Learned counsel appearing for the petitioner submits that the materials collected during investigation, as reflected in the charge sheet, do not disclose any incriminating evidence against the petitioner. It is further contended that the charge sheet is vague, inasmuch as it does not specify the nature of the stock allegedly misappropriated, the period during which the alleged cash was misappropriated, or the period for which the alleged stock was found missing.

It is also submitted that the complainant has not been examined by the Investigating Officer.

This Court notes that the learned Magistrate in the court below has already framed charges and the petitioner's application for discharge has been rejected. It further appears that the trial has commenced and has been fixed for evidence on 27 August 2026. It is also noted that there are five listed witnesses.

This Court is of the view that, in proceedings for quashing, the petitioner cannot seek an appreciation of evidence or an examination of its sufficiency at this stage. Once the trial has commenced, it is for the learned trial court to assess the evidence adduced before it and to arrive at an appropriate conclusion on the basis of the materials collected during investigation.

In that view of the matter, this application is not entertained.

However, the learned Magistrate is requested to conclude the trial as expeditiously as possible, preferably within a period of one year from the date of communication of this order. It is further directed that no unnecessary adjournments shall be granted, and the trial shall proceed uninfluenced by any observation made herein.

Accordingly, **CRR 4649 of 2025** is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)