

14.01.2026

Ct. No. 237
SL No. 62
Moumita

C.R.R. 5087 of 2025

In the matter of: **Subrata Roy & Ors.**

Mr. Shibaji Kumar Das
Ms. Parbati Mondal

...for the Petitioners

Ms. Amita Gaur
Mr. Soumya Basu Roy Chowdhury

...for the State

1. Petitioners and State are represented.
2. Learned advocate for the State produces the case diary.
3. Perused the materials in the case diary.
4. The instant revisional application has been filed seeking quashing of criminal proceeding in connection with the G.R. Case 93 of 2024 arising out of Adra Police Station Case No. 10 of 2024 dated February 11, 2024. Investigation of such case culminated in Charge Sheet No. 33 of 2024 dated June 26, 2024 under Sections 279/187/34 of the Indian Penal Code, 1860.
5. Suo motu complaint was lodged by one Inspector-In-Charge with the allegation that the petitioners were carrying stolen properties. The allegations in the FIR stated that the *de facto* complainant reasonably believed that the accused driver, helper and registered owner of the vehicle as also the owner of the stone carried in the vehicle were obtained by theft or fraudulent means and above hatching a criminal conspiracy. On the basis of such *suo motu* complaint, a case under Section 379/411/414/120(B) of the Indian Penal

Code, 1860 read with Section 21(1)(4) of the Mines and Minerals (R & D) Act, 1957, was started against the petitioners. It is submitted on behalf of the petitioner that in course of investigation, the registered owner of the vehicle produced all the documents relating the ownership in respect of the vehicle. Necessary documents in respect of the stone loaded in the lorry were also produced, establishing its ownership.

6. Ultimately, the investigation of the case ended in Charge Sheet under Section 279/187/34 of the Indian Penal Code as against the present petitioners.
7. Having heard the submissions made on behalf of the parties and also upon going through the materials placed on record including that contained in the case diary, it transpires that there was no allegation whatsoever in the *suo motu* written complaint with regard to rash and negligent driving. The case was started with an allegation of theft of vehicle as well as the stone chips loaded in such vehicle, which ultimately could not be proved in the investigation. The materials contained in the charge-sheet does not depict materials to establish an allegation for rash and negligent driving covered under Section 279 or to prevent a Government servants from the discharge official duties envisaged under Section 187 of the Indian Penal Code.
8. In such circumstances, the instant revisional application is allowed.

9. The criminal proceedings in connection with G.R. Case 93 of 2024 arising out of Adra Police Station Case No. 10 of 2024 dated February 11, 2024 is hereby quashed.
10. Accordingly, **C.R.R. No. 5087** of **2025** stands ***disposed of***.

(MD. SHABBAR RASHIDI, J.)