



Present:- Sri. Gairik Roy
Chief Judicial Magistrate, Howrah
JO Code:-WB01022

Order dated 25.03.2026:-

Today is fixed for orders.

Petitioner files hazira.

Record is taken up for orders.

It appears from the record that one report of S.I. Sanjay Ghosh of Shibpur police station is received on 09.03.2026, which is already on record.

Perused the same. Heard Ld. Advocate for the complainant who is not at all satisfied with the report of the police case as the report is not in favour of the complainant and prays for lodging of FIR as per his submission.

In view of the order no.1 dated 23.12.2025, the instant application was sent to Inspector-in-charge shibpur police station for preliminary inquiry over the alleged issue and to submit report.

On careful introspection of the case record and the report as submitted by investigating Officer it appears that the bone of contention is that the dispute relates to breach of agreement & as part performane of contract, the opposite party/respondent has already paid Rs.85,000/- to the petitioner before filing of the instant case & the parties again entered into an agreement (notarized) dt-20.08.25, having terms that the rest amount shall be paid by August, 2026 and in each installment shall be of minimum ₹10,000/- should be paid in every month, to which the opposite party/respondent has defaulted as alleged by the petitioner.

Having, considered the report dt. 08.03.26 and the crux of the dispute lies in the breach of contract which is not within the exclusive domain of this court. In view of the above I do not find any cognizable case has been made out against the accused persons.

Hence the Misc. Case be and the same is dropped.

D/C by me,

Chief Judicial Magistrate
Howrah

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