

S/L-10
10-06-2025
KOLE / ss

CRR 1796 of 2025

Deb Kumar Gupta (Shaw)
-Vs.-
The State of West Bengal & Anr.

Mr. Debnath Ganguly,
Mr. S. Dutta,
Mr. A. Saha,
Mr. A. Chowdhury,

... for the petitioner.

The present revisional application has been preferred praying for quashing of the proceedings in connection with Burtolla Police Station Case No.184 of 2023 dated November 02, 2023 under Sections 120B/384/380/403/420 of the Indian Penal Code, 1860 giving rise to G.R. Case No.1165 of 2023 arising out of Misc. Case No.143 of 2023, pending before the Learned Additional Chief Judicial Magistrate-I, Calcutta.

The case in the present revision has been initiated against the petitioner herein on the basis of an application under Section 156(3) of the Code of Criminal Procedure. It appears from the petition of complaint that the allegations made against the present petitioner relates to forcible conveyance/transfer of the complainant's ancestral house in the year 2021.

It also appears from the materials on record and the alleged deed of conveyance that **the present petitioner is prima facie not a party to the said transfer (conveyance)** wherein it appears that the complainant has transferred his 1/5th share in the property in favour of one Shanti Nath Manna. The

petitioner's name does not figure as purchaser in the said deed. It further appears that though the application under Section 156(3) of the Cr.P.C. has been filed on 09.10.2023, it relates to an alleged incident between Lakshmi Puja and Kali Puja in the year October, 2021. Thus, admittedly the complaint has been made after more than two years of the alleged transfer.

Considering the nature of allegation and the nature of dispute between the parties and the fact that the documents prima faice do not show the involvement of the petitioner in the offence alleged in the present case, the proceedings in Burtolla Police Station Case No.184 of 2023 dated November 02, 2023 under Sections 120B/384/380/403/420 of the Indian Penal Code, 1860 giving rise to G.R. Case No.1165 of 2023 arising out of Misc. Case No.143 of 2023 now pending before the Court of the Learned Additional Chief Judicial Magistrate-I, Calcutta **be stayed till 28th July, 2025 or until further orders, whichever is earlier.**

As the petitioner has made out an agruable case, the revision is required to be heard.

The petitioner to effect service upon the opposite parties and file affidavit of service on the next date of hearing.

Let the matter be placed before the Regular Bench in due course.

(Shampa Dutt (Paul), J.)