

07.11.2024

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CRR No. 2186 of 2024

In Re: Chandra Sekhar Dutta & Ors.

Mr. Sandipan Ganguly

Mr. Biswajib Ghosh

Mr. Avirup Chatterjee

Mr. Soumo Nag

Mr. Rishav Das

.... For the Petitioners

The petitioners seek quashing of G.R. case no. 658 of 2024 pending before the learned Additional Chief Judicial Magistrate, Kandi, Murshidabad.

Learned counsel for the petitioners submits that the petitioner nos. 2 to 12 who are the erstwhile owners of the plots in question sold out the same to the petitioner no. 1 by virtue of registered deeds. The private opposite party manufactured a sale deed by personifying the first petitioner and claimed to have acquired title in respect of the property for which the first petitioner lodged a complaint before the Kandi police station on 23rd March, 2023 which was recorded as Kandi Police Station case no. 154 of 2023. Charge-sheet has been submitted therein. The private opposite party lodged a complaint against the first petitioner on 24th March, 2023 which was recorded as Kandi police station case no. 156/2023. The first petitioner came before this Court in a criminal revision being CRR 1353 of 2023 challenging the said proceeding and was favoured with an order of no coercive steps being taken against him by the investigating agency by an order passed on 18th April, 2023. The investigation ultimately culminated in FRT.

The private opposite party got his name mutated in respect of the property on the basis of the forged and manufactured deeds which upon

hearing by the concerned authority, was cancelled and the name of the first petitioner recorded in respect of the same. Suppressing all these facts the private opposite party has lodged the present FIR under Sections 420/406 of the Indian Penal Code against all the petitioners herein.

It appears from the material on record that the petitioners have been able to make out an arguable case.

The petitioners are directed to serve copy of the application along with annexure thereto upon the opposite parties and file affidavit of service on the adjourned date.

Let the matter appear under the heading 'Contested Application' in the monthly list of January, 2025.

Investigation of the case shall continue.

No coercive steps be taken against the petitioners in connection with the present matter till 31st January, 2025 subject to the petitioners cooperating in investigation.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)