

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

30.09.2024
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C.R.R. No. 3464 of 2024

In Re : Amit Kumar Ghosh @ Ram Ghoshpetitioner

Mr. Soumya Basu Roy Chowdhuri
..... for the petitioner

1. Learned Counsel for the petitioner submits opposite party no. 2 had failed to refund loan advanced to him. He has instituted the impugned criminal proceeding as a weapon of harassment to prevent the petitioner from realising the dues.

2. We have considered the allegations in the impugned FIR. It is alleged opposite party no. 2 had taken loan from the petitioner and others to repay one Buro Pramanik. As the loan had been taken on a high rate of interest he was unable to pay. Allegation of threat and intimidation held out against opposite party no. 2 are vague and omnibus. Possibility of malicious institution of criminal proceedings to resist the creditor from lawfully releasing the loan cannot be ruled out.

3. Let this matter appear under the heading "Contested Application" four weeks after Puja Vacation.

4. There shall be stay of operation of the proceedings in connection with G.R. 1489 of 2022 arising out of Katwa Police Station Case No. 876 of 2022 dated 13.11.2022 under Sections 384/386 of the Indian Penal Code including order dated

11.08.2023 pending before the learned Additional Chief Judicial Magistrate, Katwa, Purba Bardhaman, for a period of six weeks after Puja Vacation or until further orders, whichever is earlier.

5. Liberty is given to the parties to pray for extension and/or vacation and/or modification of this order upon notice to the other side.

6. Urgent photostat certified copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Joymalya Bagchi, J.)