

AD 379  
September 17, 2025  
Ct. 28  
SG

CRR 4216 of 2025

In the matter of:  
*Ashish Garodia and another*  
... petitioners

Mr. Sandipan Ganguly, Sr. Adv.  
Mr. Ayush Jain  
... for the petitioners

Learned senior counsel representing the petitioners submits that the petitioners had earlier initiated several proceedings in respect of threat and extortions made by the de facto complainant. There were proceedings instituted under Section 144 of the Code as well as 107 of the Code apart from a specific criminal case. After all these, the de facto complainant started a proceeding in the State of Jammu & Kashmir alleging cheating committed by the present petitioners. This Court directed that the petitioners need not participate in the preliminary inquiry. Thereafter, the de facto complainant lodged the instant FIR alleging the petitioner No.2 had taken Rs.5 crore through RTGS and admitted that the said amount was returned. Thereafter, a total sum of Rs.17 crore was allegedly taken from the de facto complainant from time to time and in cash, but was not returned. The allegations are absolutely frivolous. The petitioners deny having received any such money. No prima facie case is made out. Any further continuation of the proceeding shall be an abuse of the process of Court.

Let the petitioners serve copies of the application upon the State through learned Public Prosecutor and upon the opposite party No.2 by speed post with A/D within a week from this date and file affidavit of service on the next date.

List this matter under the heading "Motion" on 10.11.2025 at 3 pm.

The petitioners shall not be arrested till 17.11.2025.

The State shall produce the case diary on the next date.

The petitioners shall be at liberty to pray for stay of the impugned proceeding upon production of the case diary and service of notice on the other side.

Urgent photostat certified copy of this order, if applied for, be made available to the parties upon compliance of requisite formalities.

**(Jay Sengupta, J.)**