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NB

24.09.2025

CRR 4365 of 2025

Ct. No. 28

In the matter of:- Madhu Pal @ Madhusudan Pal @ Madhusudan Paul
...petitioner

Mr. Avik Ghatak
Mr. Dishani Kanjilal
...for the petitioner.

Learned counsel appearing on behalf of the petitioner submits as follows. The allegation in the FIR against the petitioner was that the rice was received by the petitioner for an agreed consideration of Rs.13 Lakhs and odd. But, the same was not paid. But, in the charge sheet, it has been admitted that a payment of Rs.11 Lakhs was made even before the registration of the FIR. The dispute at best is purely civil in nature. No prima facie case is made out as would be evident from a plain reading of the FIR and the charge sheet. Any further continuation of the impugned proceeding shall be an abuse of the process of Court.

Let the petitioner serve a copy of this application upon the State through the learned Public Prosecutor and upon the opposite party no.2 by speed post with acknowledgment due, within a week and file an affidavit of service to that effect on the next date.

List this matter for hearing as a 'Contested Application' one week after the ensuing puja vacation.

The impugned proceeding shall remain stayed till three weeks after the ensuing puja vacation.

The parties shall be at liberty to pray for extension or modification or vacating of the interim order upon notice to the other side.

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

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)

