

December 18, 2024

33 ARDR

Calcutta High Court
In The Circuit Bench at Jalpaiguri

CRR 362 of 2024

Sonica Periwai
Vs.
The State of West Bengal & anr.

Adv. Sourav Ganguly,
Adv. Rishita Chakraborty,

...for the petitioner.

Adv. Milindo Paul,
Adv. Nabankur Paul,
Adv. Sutapa Sen Paul,
Adv. Bedasruti Bose,
Adv. Bodhisatya Ghosh,
Adv. Subham Das,

...for the op no.2.

Supplementary affidavit filed by the petitioner is taken on record.

Since the private opposite party is represented, the petitioner is directed to serve copy of the application along with annexure thereto as well as the supplementary affidavit upon the learned counsel for the private opposite party. The petitioner is further directed to serve copy of the application along with annexure thereto as well as the supplementary affidavit upon the State and file affidavit of service on the adjourned date.

The petitioner seeks quashing of proceedings, being G.R. case no. 2639 of 2024 pending before the learned Chief Judicial Magistrate, Jalpaiguri. Taking this Court to the FIR lodged by the private opposite party, learned counsel submits that the main thrust of the allegation of misappropriation of funds and

forgery is against the co-accused Lokesh Periwal and Sushil Periwal who are not connected to the partnership business wherein the petitioner, the private opposite party and another are partners in equal shares. The brother of the private opposite party took loan from the partnership firm and on asking him to repay the said loan, the present complaint was lodged on false and frivolous grounds.

The matter needs to be heard on merits.

Investigation of the case shall continue. No coercive steps be taken against the petitioner in connection with the present case till 31st January, 2025 or until further orders, whichever is earlier subject to the petitioner cooperating in investigation.

The matter be placed before the next available Circuit Bench.

(Suvra Ghosh, J.)