

(2018) 03 CAL CK 0051
In the Calcutta High Court
Case No : C.R.R. No. 510 of 2018

CHINTA BARMAN & ANR.

APPELLANT

Vs

KANAKLATA GAYEN & ANR

RESPONDENT

Date of Decision : 29-03-2018

Acts Referred:

Code of Criminal Procedure, 1973 — Section 401, 482
Indian Penal Code, 1860 — Section 34, 323

Citation : (2018) 03 CAL CK 0051

Hon'ble Judges : MUMTAZ KHAN, J

Bench : Single Bench

Judgement

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This is an application under Section 482 read with section 401 of the Code of Criminal Procedure, 1973 filed by the petitioners praying for quashing of

the proceeding being Case No.C60/17 (TR No.194/17) under Section 323/34 of the Indian Penal Code pending before the Court of learned Judicial

Magistrate, 3rd Court at Diamond Harbour, District â?" South 24 Parganas.

The petitioner no.2 personally appears before this Court and citing urgency submits that he is a junior practising advocate of the Bankshall Court and

both he and his wife have been falsely implicated by the complainant/O.P. No.1 by filing a false complaint.

The petitioner is directed to serve the copy of the application along with annexture-s thereof upon the opposite party no.1 within a period of 2 weeks by

speed post with acknowledge due and also serve a copy of the application along with all annextures thereof upon the State of West Bengal through

the Public Prosecutor, High court, Calcutta within a period of two weeks and to file affidavit of service to such effect on the next date of hearing.

In the meantime, let there be a stay of further proceeding of the case being No.C 60/17 (TR No.194/17) pending before the Court of learned Judicial

Mgistrate, 3rd Court at Diamond Harbour for a period of four weeks from date.

Affidavit of service filed today in Court be kept with the record.

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

Petitioner is directed to communicate the order to the Court below at once.

Let the matter be listed under the heading "Adjourned Motion" three weeks hence.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.