

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 10398/2019

(Arising out of impugned judgment and order dated 20-09-2019 in CRR No. 1395/2019 passed by the High Court at Calcutta)

M/S FABWORTH PROMOTERS PVT. LTD. & ANR.

Petitioner(s)

VERSUS

THE STATE OF WEST BENGAL & ANR.

Respondent(s)

WITH

SLP(Crl) No. 1031/2020 (II-B)

(FOR ADMISSION and I.R. and IA No.12780/2020-CONDONATION OF DELAY IN FILING and IA No.12781/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.12782/2020-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 06-07-2023 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY
HON'BLE MR. JUSTICE PANKAJ MITHAL

For Parties

Mr. Parthiv Goswami, Sr. Adv.
Ms. Sonia Dube, Adv.
Mr. Shatadru Chakraborty, Adv.
Ms. Kanchan Yadav, Adv.
Ms. Surbhi Anand, Adv.
M/S. Legal Options, AOR

Mr. Pranaya Goyal, AOR
Mr. Chiranjivi Sharma, Adv.
Ms. Neetika Sharma, Adv.

Mr. Srisatya Mohanty, Adv.
Ms. Muskan Surana, Adv.
Ms. Astha Sharma, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. These matters arise out of lease agreements for service apartments and the challenge here is to the transfer of investigation of the case arising out of the FIR dated 11.04.2019 filed by respondent No. 2 registered at Karaya Police Station in

Kolkata. Considering the nature of the case, the State Police is adequately equipped to investigate the present matter and the High Court should not have ordered for transfer of investigation to the CBI while entertaining the petition under Section 482 of Cr.P.C. particularly when such a prayer was not even made in the petition.

2. Mr. Parthiv Goswami, learned senior counsel appearing for the complainant submits that following the transaction, the consideration amount was remitted and currently the complainant is in possession of the three service apartments. Therefore, what remains to be done by the other side is to execute the conveyance deed.

3. Today, the arguing counsel for the petitioners is not present and accordingly, adjournment is sought. The matters be listed accordingly after three weeks.

(NITIN TALREJA)
COURT MASTER (SH)

(KAMLESH RAWAT)
ASSISTANT REGISTRAR