

Serial No. 02
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.Petn. No. 5 of 2018

Date of order: 31.07.2018

Dr. Sabyasachi Dutt Vs. State of Meghalaya & Ors.

Coram:

Hon'ble Mr. Justice Mohammad Yaqoob Mir, Chief Justice

Appearance:

For the Petitioner/Appellant(s) : None for the petitioner

For the Respondent(s) : Mr. S. Sengupta, Addl. PP

Instant petition has been filed seeking quashment of FIR dated 11.07.2017 i.e., Rynjah P.S. Case No. 107 (7) 17 under Sections 109/465/466/471/474/34 IPC.

Petitioner has not chosen to appear on previous three consecutive dates of hearing i.e., on 25.05.2018, 25.06.2018 and 12.07.2018, same is the position today, therefore, the petition is taken for consideration.

Additional Public Prosecutor has today filed the latest status report of investigation, same is taken on records. The report suggests that *prima facie* there is some evidence, the investigation is in progress, register and other documents already stand seized. Petitioner according to the report is not cooperating with the investigation.

It is trite that power exercisable under Section 482 Cr.P.C. is not unfettered, has to be exercised with care and circumspection. While going through the record coupled with the fact that the petitioner has not chosen to appear on last three consecutive dates of hearing as well as today means, petition has been filed simply to hamper the investigation. No case whatsoever is made out warranting indulgence of this Court under Section 482 Cr.P.C.

Petition accordingly, dismissed.

(Mohammad Yaqoob Mir)
Chief Justice

Meghalaya
31.07.2018
"Sylvana PS"