

Serial No. 20
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl. Petn. No. 5 of 2019

Date of Decision: 29.07.2022

Hotel Pegasus Crown & Anr. Vs. State of Meghalaya & 6 Ors.

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner/Appellant(s) : Ms. R. Kharmawlong, Adv. vice
Mr. K. Paul, Sr. Adv.
For the Respondent(s) : Mr. S. Sengupta, Addl. Sr. GA (For R 1-3)
Ms. P. Bhattacharjee, Adv. (For R 4 & 5)
Mr. H. L. Shangreiso, Sr. Adv. with
Mr. A. Syiem, Adv. (For R 6 & 7)

ORAL:

1. Heard learned counsels for the parties.
2. Ms. P. Bhattacharjee, learned counsel for respondents No. 4 and 5 has fairly submitted that the respondents No. 4 and 5 in pursuant to the process of recovery of the dues as far as the provident fund on behalf of the concerned employees is concerned, the said respondents have employed another form of recovery which has been brought on record in this proceedings by way of an affidavit dated 26.05.2022 wherein specifically at Annexure-D of the said

affidavit, a communication has been sent to the Recovery Officer, Sub Regional Office, Shillong to process with the recovery of the said dues from the petitioner herein.

3. This being the case, it is fairly submitted that the FIR in question would have no relevance and there is no strong objection to the same being quashed.

4. Since it is also the prayer of the petitioner that the said FIR connected to Shillong Sadar PS Case No. 93(5) of 2018 be quashed, this Court is of the considered opinion that as far as these proceedings are concerned, the said FIR is required to be quashed.

5. Accordingly, without going into the detailed merits of this case, the said FIR being Shillong Sadar PS Case No. 93(5) of 2018 dated 13.04.2018 is hereby quashed.

6. This petition is accordingly disposed of. No costs.

Judge

Meghalaya
29.07.2022
"Tiprilynti-PS"