

CR 119 of 2025
CNR WBCB07-001147-2025

Order no. 17 dated 06.05.2026

Today is fixed for pre cognizance hearing.

Complainant files hazira.

Suspect no. 3 and 4 are present by filing hazira.

Absent petition is filed on behalf of other five suspects.

Now the record is taken up for pre cognizance hearing.

Ld. Advocate for the suspects verbally submits that there is no ground to take cognizance as the complainant has not taken any positive steps since filing of this case.

On the other hand Ld. Advocate for the complainant submits that the fact of the complaint is clearly reflecting the offences are committed by the present suspects and trial is required to prove the facts. Ld. Advocate for the complainant prayed for taking cognizance of the offence.

Perused the materials on record.

This Court finds that the submission made by Ld. Advocate for the suspects is not in respect of any legal impediment in taking cognizance of this case. In the decision of Hon'ble Calcutta High Court in the case of ***Kaberi Dey and others vs Sourav Bhattacharya*** in CRR 119 of 2025, Hon'ble Court was pleased to opine that the scope of pre-cognizance inquiry is much more confined and narrower than post cognizance inquiry as the same is offence-centric inquiry and not the offender-centric inquiry. Here in this case, the suspects have not brought anything before this Court which can show either no offence is construing from the alleged facts narrated in the complaint or any legal impediment to take cognizance by this Court.

Accordingly, on the basis of the facts narrated in the complaint, this Court is inclined to take cognizance of the offence. As such cognizance is taken.

To **19.06.2026** for SA.

Complainant to produce witnesses.

Typed by me

Sd/-

Judicial Magistrate, Dinhata

Sd/-

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JO Code WB01376