

Complaint Case No. 02 of 2025
CNR No. WB0201-000714-2025

Present: Sri Sukumar Ray,
JO Code No. WB00590
Chief Judge,
City Sessions Court, Calcutta,

Order no. 03 dated 10.09.2025

1. Today is fixed for hearing of the petition dated 09.09.2025 filed on behalf of the complainant.
2. The Ld. Public Prosecutor, City Sessions Court, Calcutta representing the complainant, i.e., the State of West Bengal, is present by filing hazira.
3. Now, the case record is taken up for hearing.
4. Heard. Considered. The petition praying for preponing the matter stands allowed.
5. Heard the Ld. Public Prosecutor.
6. I have perused the complaint petition and the documents annexed thereto.
7. Court fees, submitted, are sufficient.
8. The complaint, supported by an affidavit, is filed on behalf of the State of West Bengal, praying for issuance of necessary order on the grounds contemplated in the petition of complaint itself.
9. The complainant filed an original sanction order of the Government of West Bengal and also the alleged defamatory materials in a 16GB EVM USB/Pen Drive.
10. Relying upon the provision of second proviso to sub-section (1) of Section 223 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the complainant, being a public servant, filed this complaint in discharge of his official function, is exempted to be examined on solemn affirmation.
11. Proviso to sub-section (1) of the Section 223 of the Bharatiya Nagarik Suraksha Sanhita, 2023 mandates that a Court, while taking cognizance of an offence on the basis of a complaint, the accused should be given an opportunity of being heard.
12. Considering the petition of complaint and also having regard to the document(s) annexed herewith, I am of the opinion that notice under the proviso to sub-section (1) of Section 223 of Bharatiya Nagarik Suraksha Sanhita, 2023 should be issued against the opposite party/the proposed accused, Mr. Tarunjyoti Tiwari.
13. Accordingly, issue pre-cognizance notice upon the opposite party/the proposed accused, Mr. Tarunjyoti Tiwari, in both ways i.e. through court and registered post with A/D.
14. Put requisites at once.
15. To date i.e. on **24.09.2025** for SR and appearance.

Dictated & corrected by me,

Sd/-
Chief Judge
City Sessions Court, Calcutta.

Sd/-
Chief Judge
City Sessions Court, Calcutta.