

IN THE COURT OF MUNICIPAL MAGISTRATE 4th COURT, CALCUTTA.

Present:

Smt. Sneha Basu

J O Code No: W B 01437

Case No. GR 59 of 2025

C N R No- WBCS03-000077-2025

Date. 02.09.2025

Today is fixed for appearance, copy and charge i.d. WA .

Ld. P.O. is transferred , Ld. Mu.MM 2nd Court, Calcutta is in charge

Ld. APP is present.

All the three accused persons namely **(1) Md. Mirazuddin,(2) Akbar Ali & (3) Rahaman Quadari Shaik are** present by filing hazira along with their Ld. Advocate.

Ld. APP is present.

The copies of police report and relevant documents or relevant extract thereof forwarded to this court with the police report under section 193 of the BNSS 2023 are furnishing to the accused, free of cost **containing 18 pages each**, in accordance with the provisions of section of the 230 of the BNSS 2023.

Dictated & corrected by me.

Municipal Magistrate,
4th Court, Calcutta(i/c)

Later,

Case record is taken up for framing of charge on the request of Ld. Defence counsel.

Charge is framed under Section 392/610/618 & 401A of KMC Act

The case record is taken up for consideration of charge.

I have heard the submission of Ld. counsels for the parties, Perused the C.D, FIR, C/S along with other relevant materials. On perusal, it appears that there are prima facie materials for framing addition of charge against the accused persons for the Offence punishable u/s 392/610/618 & 401A of KMC Act.

Accordingly, the charge is framed against the **accused person namely (1) Md. Mirazuddin,(2) Akbar Ali & (3) Rahaman Quadari Shaik** for the Offence punishable u/s 392/610/618 & 401A of KMC Act The charge is written over in a separate prescribed form of charge , which is kept with the C/R.

Now, the content of charge is read over and explained to the accused person to the effect that you being the P/R made an unauthorized construction by violating the condition of sanction plan by demolishing the external walls to which the accused person replied and pleaded as not guilty by saying “Ami Nirdosh” and claimed to be tried. As a result, trial ensues.

Issue summons upon witness CSW – 1 & CSW - 2

To 28.01.2026 for evidence.

Dictated & corrected by me.

Municipal Magistrate,
4th Court, Calcutta(i/c)

West Bengal Form No. 3957.
High Court Criminal Form No. (P) 38.

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CNR No:- WBCS03-000077-2025

CHARGES WITH THREE HEADS

[No. XXVIII (II), SCHEDULE V, Act V, 1998]

(Sections 244, 245, 246 of BNSS 2023)

(1) Name and office of Magistrate, &c. I, **Smt. Sneha Basu, Municipal Magistrate, 4th Court, Calcutta-in-charge** do hereby charge you⁽²⁾ **(1) Md. Mirazuddin, (2) Akbar Ali & (3) Rahaman Quadari Shaik**

(2) Name of accused person as follows:

That you on or before **25.01.2025**, being the person responsible was engaged in making unauthorized construction of building at premises **No.16A, Ahipukur 1st Lane, Kolkata-17, P.S. Karaya, Br-VIII, Ward- 69**, by violating the condition of sanction plan by demolishing the external walls from concerned authority, which may enganger human life, create fire hazards and disrupt of sewerage system.

Further, all of you had made the construction defying notice from the KMC authorities and you have continued the construction in spite of stop work notice.

(3) My cognizance or the cognizance of the Court of Session. and thereby committed an offence punishable under **Section 401A read with Section 392/610 read with Section 618** the of Kolkata Municipal Corporation Act and within the cognizance of this Court.⁽³⁾

(4) In cases tried by Magistrate, omit "by the said Court." And I hereby direct that you be tried ⁽⁴⁾ by the said Court on the said charge.

Contents of the charge is read over and explained to the accused person. On being asked, the accused persons, pleaded not guilty by saying "**Ami nirdosh**" and claimed to be tried.

Dated this 14th day of November, 2025

Municipal Magistrate
2nd Court, Calcutta(i/c)

