

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

Present:

Avishek Minj

J O Code No: W B 01520

Case No. CrI.Misc 2290 of 2017

CNR- WBCS – 03-005801-2016

Dated. 07.04.2026

Today is fixed for appearance copy and charge.

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

Ld. APP is present.

Accused persons namely 1)Fazle Elahi,2)Tahet Waheb @ Khatoon, 3) Murad Ali, 4)Omme Salehare absent today by petition

Accused Jainal Hossain & Azad Hasan are present by filing hazira along with their Ld. Advocate.

Copy supplied to both accused persons containing 20 pages each

The record is taken up for Consideration of charge.

Perused the record.

Heard the Ld. Advocates of both sides.

Considering the materials on record, submission both the parties, it appears that there is sufficient materials for framing of charge against the accused person.

Substance of accusation under Sections **401(A), 392/610,618** of KMC Act is read over and explained to both accused persons, namely, **Jainal Hossain & Azad Hasan** in Bengali to which they pleaded not guilty and claim for trial by saying "**Ami nirdosh**" separately .

Fix **06.08.2026** for evidence.

Issue summons upon CSW-13/PW-6 & CSW-14/PW-2 accordingly.

Municipal Magistrate
4thCourt, Calcutta(i/c).

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

Case No.Crl.Misc 2290 of 2017
CNR No:- WBCS03-005801-2016
CHARGES WITH THREE HEADS
[No. XXVIII (II), SCHEDULE V, Act V, 1998]
(Sections 221, 222, 223, Code of Criminal Procedure)

(1) Name and office of Magistrate, Cal. I, **Sri. Avisek Minj, Municipal Magistrate, 4th Court, Calcutta-in-charge** do hereby charge you⁽²⁾ **(1)Jainal Hossain & (2)Azad Hasan**

(2) Name of accused person as follows:

That you on or before **01.11.2017**, being the persons responsible was engaged in making unauthorized construction of building at **premises No.9, Aihiri Pukur Road, Kol-19 , Ward-69, BR-VIII** constructed unauthorized building without sanctioned plan and if allowed to stand, may collapse at any date, endangering human life and water supply, drainage, sewerage of road or road traffic and may cause fire hazard

and thereby committed an offence punishable under **Section 401A** of the of Kolkata Municipal Corporation Act and within the cognizance of this Court.⁽³⁾

being the persons responsible was engaged in making unauthorized construction of building at the same date, time and place without any sanctioned plan

and thereby committed an offence punishable under **Section 392/610** of the of Kolkata Municipal Corporation Act and within the cognizance of this Court.⁽³⁾

being the persons responsible was engaged in making unauthorized construction of building by violating stop work notice at the same date, time and place, in contravention of the provisions of the KMC Act

(3) My cognizance or the cognizance of the Court of Session.

and thereby committed an offence punishable under **Section 618** of 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 he be tried ⁽⁴⁾ by the said Court on the said charge.

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

Dated this 07th day of April, 2026.

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

SSP-1988 (2000)