

Sessions Case No.453/2015
CNR no. WBJP01-004540-2015

J.O Code- WB00877

Order no. 60 dt. 03.9.2025:

Case record is placed before me.

Ld. Advocate appearing on behalf of the accused Debabrata Chakraborty, Biplab Kumar Swar, Debojit Bhattacharjee @ Bapi and Sudipta Saha moved an application dated 25.07.2025 praying for discharging them from the instant case u/s 227 of Cr.P.C.

Heard Ld. PP and Ld. defence counsel.

Perused the application.

It is submitted by the Ld. defence counsel that the Hon'ble Circuit Bench of Calcutta High Court at Jalpaiguri in connection with CRR no. 106/2023 dated 30.08.2023 preferred by one of the accused Debolina Choudhury @ Riya was pleased to pass an order to quash the order dated 15.09.2017 by which charge was framed against all eight accused persons. He further submitted that in view of the order passed by the Hon'ble High Court, the present accused-petitioners, who preferred the instant application dated 25.07.2025, are liable to be discharged from the instant case.

I have gone through the order passed by the Hon'ble High Court dated 30.08.2023 in connection with CRR no. 106/2023 which was preferred by one of the accused Debolina Choudhury @ Riya and it was observed by the Hon'ble High Court that the charge was framed against the accused Debolina Choudhury was abuse of process of law and thereafter, quashed the order of framing charge. But the present accused-petitioners who preferred the instant application dated 25.07.2025 did not challenge the order passed by this court on 15.09.2017 and charge was framed against them under Sec. 3/5/6/7 of Immoral Traffic (Prevention) Act, 1956. So at this stage, present application and the prayer made therein appears to me not tenable in the eye of law and I do not find any merit in the instant application.

Hence, the application dated 25.07.2025 stands rejected on contest.

Fix 18.11.2025 for hearing of application filed on behalf of the accused Deboline Choudhury.

D/C by me

Addl. Sess. Judge,
2ndCourt, Jalpaiguri

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