

23.03.2026
Serial no. 13
Court No. 29
[G.S.D]

CRR 763 of 2026

In the matter of : Dinesh Jana & Ors.

... .. **Petitioner(s)**

Mr. Rajdeep Mazumder, Sr Adv.
Mr. Pritam Roy
Ms. Triparna Roy

... for the Petitioner(s)

The petitioners have prayed for quashing of the FIR being Mahisadal PS Case No., 311 of 2025 dated 20.07.2025 presently pending before the learned Additional District & Sessions Judge, 1st Court at Tamluk.

Being aggrieved by the said proceeding, learned counsel for the petitioners submits that over the incident of 11th July, 2025, the wife of the petitioner lodged a complaint on 13th July, 2025. Now, over the self-same incident, the accused of the said proceeding has initiated the instant proceeding after nine days of the alleged occurrence i.e., on 20th July, 2025.

Learned advocate further submits that although the allegation leveled against the present petitioners is under the provision of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 but from the averments made in the complaint, it is clear that the said provision does not attract against the present petitioners in the instant proceeding.

Learned advocate further emphasizes that the present proceeding clearly demonstrates that it is a retaliatory counter-blast and has been initiated with *mala fide* intention to harass the petitioners. According to the learned advocate, the instant FIR does not disclose any specific factual foundation to demonstrate that the petitioners acted with deliberate and conspicuous intention to humiliate the complainant on account of her caste. Therefore, further continuance of the impugned proceeding will be mere abuse process of the court. He, as such, prays for quashing of the impugned proceeding.

Having considered the learned Counsel for the petitioners, the application being CRR 763 of 2026 is admitted. The petitioners are directed to serve a copy of the application upon the State through the office of the learned Public Prosecutor, High Court, Calcutta as also upon the o.p. no.2 by speed post intimating the next date of hearing and to file Affidavit of Service on the returnable date.

Let the matter appear under the heading 'Contested Application' in the monthly list of June, 2026.

Learned counsel for the petitioners also prays for an interim relief.

Having considered the submissions advanced by the learned counsel for the petitioners that the petitioners have made out an arguable case, let the impugned order dated 5th January, 2026 by which warrant of arrest was issued against the petitioners is hereby stayed for a period of 12 weeks or until further orders whichever is earlier.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(DR. AJOY KUMAR MUKHERJEE, J.)