

13.04.2026

Sl. No.85.

D/L.

Mithun.

Ct.No.29.

CRR/1009/2025

**Saifuddin Molla @ Mohd Saifuddin Molla
Vs.
State of West Bengal & Anr.**

Mr. Sauradeep Dutta,
Mr. Robin Bansal,
Mr. Himadree Ghosh

...for the petitioner

In this application petitioner has prayed for quashment of the proceeding being BGR Case No.4463 of 2024 presently pending before learned Additional Chief Judicial Magistrate, Alipore.

Being aggrieved by the aforesaid proceeding, learned Counsel appearing for the petitioner submits that from the allegation made in the complaint and also from the charge-sheet it appears that even if taken at their face value and accepted at their entirety, they do not make out any criminal case against the petitioner. The entire dispute as depicted in the petition of complaint are civil in nature and it does not attract offences mentioned in the charge-sheet. He further submits that no specific date and time has been mentioned in the written complaint and as such if such vexatious prosecution is allowed to be continued, it would be mere abuse of the process of the Court.

Having heard learned Counsel for the petitioner, the application is admitted.

Petitioner is directed to serve a copy of application upon the State through the office of Public Prosecutor, High Court, Calcutta and upon opposite party no.2 through speed post intimating next date of hearing and to file affidavit of service on the returnable date.

Matter be listed in the Monthly List of June, 2026.

Learned Counsel for the petitioner also prays for stay of the impugned proceeding.

Having heard learned Counsel for the petitioner and that the petitioner has made out an arguable case, let all further proceeding of BGR Case No.4463 of 2024 presently pending before learned Additional Chief Judicial Magistrate, Alipore be hereby stayed for a period of 12 weeks or until further order, 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.)