

07.05.2026
Sl. No.A71
Ct. No.237
S.A.

CRR 1054 of 2025

Md. Izajur Rahman & Anr.
- vs -
The State of West Bengal & Anr.

Mr. Moyukh Mukherjee
Ms. Sagnika Banerjee

...for the petitioners

Prima facie it appears that the process has been issued by the Learned Magistrate under Sections 316(2)/318(4) of the Bharatiya Nyaya Sanhita, 2023 without conducting a preliminary enquiry in terms of Section 225 of the Bharatiya Nagarik Suraksha Sanhita, 2023 though it appears that the petitioners/accused persons are residing outside the territorial jurisdiction of the Learned Magistrate.

In that view of the matter, there shall be a stay of all proceedings in connection with CS/238147/2024 under Sections 316(2)/318(4) of the Bharatiya Nyaya Sanhita pending before the Learned 11th Judicial Magistrate, Calcutta, for a period of twelve weeks from date.

Let the petitioners serve a copy of the application upon the opposite parties intimating that this matter shall be taken up for hearing after six weeks under the heading "Contested Application".

The petitioners shall file an affidavit of service on the next date of hearing.

(Kausik Chanda, J.)