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CRR 1300 of 2026

**Manjunath V. Hebbar alias Manjunath Hebbar
Vs.
The State of West Bengal & Anr.**

Mr. Dipanjan Dutt
Mr. Ayan Chakraborty
Mr. Soumadip Ghosh
Mr. Subhajit Saha

...for the Petitioner

The petitioner herein is aggrieved with the order dated 18th February, 2026 passed by the learned Chief Judge, City Sessions Court, Calcutta. By the impugned order, learned court below affirmed the order of the learned Judicial Magistrate, 12th Court, Calcutta dated 11.8.2025 by which, the Trial court allowed the plaintiff's application under Section 228 of the BNSS with conditions that on the date of taking plea and on the date of examination under Section 313 Cr. P.C. the accused will remain physically present before the court.

Being aggrieved by the imposition of aforesaid condition, learned counsel for the petitioner submits that it is well settled that in appropriate cases, the court can exempt personal appearance of the accused on the date of taking plea and also on the date of examination of the accused under Section 351 of the BNSS.

In this context, he relied upon a judgment of the Apex court in the case of **Bhaskar Industries Ltd. Vs. Bhiwani Denim & Apparels Ltd. and others** reported in **(2001) 7 SCC 401**.

Learned counsel for the petitioner further submits that in the present case, it would appear that the petitioner, Mr. Manjunath V. Hebbar underwent coronary angiography and PTCA with stenting to mid RCA and is in constant medical supervision. Therefore, he prayed for expunging such condition.

Having heard learned counsel for the petitioner, the application stands admitted.

Petitioner is directed to serve a copy of the application upon the State through the office of Public Prosecutor, High Court, Calcutta and upon the opposite party 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 on 18th May, 2026 under the heading **“To Be Mentioned”**.

Learned counsel for the petitioner also prays for interim relief.

Having heard learned counsel for the petitioner and that the petitioner had made out an arguable case, let the impugned condition passed on 11.8.2025 in CS case no. 143853 2024, which pertains to physical appearance of the petitioner on the date of taking plea and on the date of examination under Section 351 of the BNSS/Section 313 of the Code of Criminal Procedure be stayed for period of eight weeks or until further order, whichever is earlier.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)