

Court No.
39
Item 56
tbsr

CRR 1727 of 2022

In the matter of:- Sukanta Mumar Mukherjee

Mr. Sandipan Ganguly
Mr. Somopriyo Chowdhury
Mr. Ayush Jain
Ms. Deepti Priya
.....for the petitioner

19.05.
2022

Learned senior counsel appearing on behalf of the petitioner submits as follows. The petitioner is a respectable journalist employed with the ABP Network Private Limited. He was reporting a news regarding the death of an worker of a political party. In order to put pressure upon the news channel from reporting such incidents, several false complaints have been lodged. The instant FIR is one of such cases. The acts of the present petitioner did not constitute any offence, far less offences of Section 153 and 504 of the Penal Code. No prima facie case is made out as would be evident from a plain reading of the First Information Report. Any further continuation of the impugned proceeding shall be an abuse of the process of the Court.

As the petitioner has made out an arguable case, the same needs to be heard at length.

Let the petitioner serve a copy of this application upon the State through the learned Public Prosecutor and upon the opposite party no.2 by speed post with acknowledgment due, within a week and file an affidavit of service to that effect on the next date.

Let this matter appear as a “Contested Application” two weeks after the ensuing summer vacation.

The impugned proceeding shall remain stayed for a period of five weeks after the ensuing summer vacation.

The parties shall be at liberty to pray for extension or modification or vacating of the interim order upon notice to other side.

The State shall produce the case diary on the next date.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)