

25.

Ct.29

19.01.2026  
Bd.

**CRR 2422 of 2025**

**Mitrapada Ganguly**  
**-vs-**  
**The State of West Bengal & Anr.**

Mr. Moyukh Mukherjee  
Mr. Arkaprabho Roy ... for the petitioner.

Supplementary affidavit filed by the petitioner is taken on record.

Relying upon the judgment of **Abhishek Singh Chauhan -vs- Union of India & Ors.** reported in **2022 SCC Online SC 1936** Mr. Mukherjee, learned counsel for the petitioner submits that over an allegation made by CMOH, Bankura, to the effect of running college illegally without proper permission from the concerned authorities, a case has already been started being Bankura Sadar Police Station Case No. 237 of 2020. Now another FIR has been lodged separately by a student namely Subhadip Pal with the self-same allegation in connection with the instant proceedings, which is not maintainable. He therefore submits that the instant FIR lodged by Subhadip Pal should be treated as statement under section 161/162 of the Cr.P.C and instant subsequent separate proceeding should not be allowed to continue.

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

Petitioner is directed to serve a copy of the application upon the State through the office of the Public Prosecutor, High Court, Calcutta and upon the opposite party no. 2 through speed post

intimating next date of hearing and to file affidavit of service on the returnable date.

Petitioner will be at liberty to pray for accommodation before the court below on 21<sup>st</sup> January, 2026.

Let the matter be listed on 16<sup>th</sup> February, 2026.

**(Dr. Ajoy Kumar Mukherjee, J.)**