

25.6.2026

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CRR 2547 of 2026

Bhaskar Vashisht
Vs.
The State of West Bengal

Mr. Sandipan Ganguly, Sr. Adv.
Ms. Priyanka Sarkar

...for the Petitioner

The petitioner herein has prayed for quashment of the proceeding being G.R. case no. 4876 of 2024, presently pending before the learned Chief Judicial Magistrate, Barasat.

Being aggrieved by the aforesaid proceeding, learned counsel for the petitioner submits that the prosecution materials unequivocally demonstrate that the petitioner was merely found present at the premises and there is no allegation whatsoever that he owned, managed or controlled the establishment and accordingly, the essential ingredients of Section 3 of the Immoral Traffic (Prevention) Act, 1956 (in short, Act of 1956) are wholly absent. There is also no allegation against the petitioner to suggest that the petitioner was living wholly or in part on the earnings of prostitution of any person and therefore, the ingredients necessary to constitute an offence under Section 4 of the Act of 1956 are conspicuously absent. He further submits that there is no material whatsoever to demonstrate that the petitioner procured, induced, persuaded, recruited, transported or facilitated the movement of any woman for the purpose of prostitution and as such, invocation of

Section 5 of the Act of 1956 against the petitioner is wholly misconceived and the prosecution has failed to disclose any overt act attributable to the petitioner so as to attract the provisions of Section 7 of the Act of 1956 and therefore, further continuance of the impugned proceeding qua the petitioner would be nothing but a mere abuse of process of the court.

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 the Public Prosecutor, High Court, Calcutta.

Let the matter appear on 15th July, 2026 under the same heading.

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, which requires adjudication on merit, let all further proceedings being G.R. case no. 4876 of 2024, presently pending before the learned Chief Judicial Magistrate, Barasat be stayed for a period of twelve weeks or until further order, whichever is earlier qua the petitioner namely, **Bhaskar Vashisht**.

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.)