

D/L – 25
15/07/2026
Court No.29
S.Kundu

CRR 2851 of 2026

Anamika Bag
Vs.
The State of West Bengal & Anr.

Mr. Ayan Bhattacharjee
Mr. Anand Keshari

...for the petitioner.

1. In this application, the petitioner has prayed for quashing of the proceeding being Special Case No. 30 of 2026 arising out of Nadial Police Station Case No. 108 dated 19.06.2026 under Section 196 of the BNS read with Sections 3(1)(r), 3(1)(s) and 3(1)(u) of the SC and ST (Prevention of Atrocities) Act, 1989 presently pending before the learned Additional District and Sessions Judge, Alipore.
2. Being aggrieved by the aforesaid impugned proceeding, learned counsel for the petitioner submits that the allegation is that during a hot altercation in the teachers staff room, the petitioner allegedly stated that certain teachers had secured their appointments through availing reservations under the Scheduled Caste and Scheduled Tribe category. Pursuant thereto the said teachers jointly lodged the complaint which gave rise to the instant proceeding.
3. Be it mentioned that some of the complaints belong to general category.

4. Being aggrieved by the aforesaid proceeding, learned counsel for the petitioner submits that the offences alleged under the SC and ST (Prevention of Atrocities) Act has got no application in the present context because there was no castigation in the remarks allegedly made by the petitioner and furthermore according to FIR the alleged remarks were not made in a place within public view.
5. Furthermore the present complain is the counterblast of the two complaints lodged earlier by petitioner herein against opposite party no. 2 alleging corruption.
6. Therefore, further continuance of the impugned proceeding against the petitioner would be a mere abuse of the process of the Court.
7. Having heard the learned counsel for the petitioner, the application is admitted.
8. The petitioner is directed to serve a copy of the application upon the State through the office of learned Public Prosecutor, High Court at Calcutta and upon the opposite party no. 2 through speed post intimating the next date of hearing and to file affidavit of service to that effect on the returnable date.
9. Let the matter be listed in the monthly list of August, 2026.
10. Learned counsel for the petitioner also prays for interim relief.

11. Having heard learned counsel for the petitioner and as that, he has made out an arguable case which requires adjudication on merit, let the investigation continue but the Investigating Agency shall not take any coercive steps against the petitioner for a period of eight weeks or until further orders whichever is earlier on condition that the petitioner shall make all sorts of cooperation with the Investigating Agency.
12. All parties shall act on the basis of the server copy of this order duly downloaded from the official website of this Court.

(Dr. Ajoy Kumar Mukherjee, J.)