

21.07.2026

Sl. No.06.

D/L.

Mithun.

Ct.No.29.

CRR/2945/2026

Nazrul Ali Mondal

Vs.

State of West Bengal & Anr.

Mr. Sandipan Ganguly, Sr. Adv.,
Mr. Avik Ghatak,
Ms. S. Middya,
Mr. Soham Dey,
Ms. Sudeshna Mondal

...for the petitioner

The present application has been preferred seeking quashment of G.R. Case No.5690 of 2026 arising out of Narendrapur Police Station Case No.930 of 2026 dated 13.07.2026 alleging commission of offence punishable under Sections 329(4)/324(4)/126(2)/117(2)/352/351(2)/74/76/64/3(5) of the BNS. The primary allegation concerns an incident that allegedly occurred on 02.05.2021, and that without any preliminary enquiry, the investigation has been started by police.

Mr. Ganguly, learned Counsel for the petitioner submits that the present FIR being Narendrapur Police Station Case No.930/2026 dated 13.07.2026 has been initiated in connection with an alleged first incident on 2nd May, 2021 and second incident on 9th May, 2026. Same complainant lodged four other FIRs against same accused persons which are similar in nature. They are proceeding being Narendrapur Police Station Case No.931 of 2026 dated 13.07.2026 which was initiated on the basis of an alleged first incident on 2nd May, 2021 and second incident dated

10th May, 2026. The other three proceedings being Narendrapur Police Station Case No.929 of 2026 dated 13.07.2026, Narendrapur Police Station 932 of 2026 dated 13.07.2026 and Narendrapur Police Station 933 of 2026 dated 13.07.2026 have also been lodged in respect of first incident on 2nd May, 2021 and on the basis of second incident dated 11th May, 2026, 10th May, 2026 and 9th May, 2026 respectively.

Mr. Ganguly, learned Senior Counsel appearing on behalf of the petitioner argued that all the aforesaid five FIRs including the present one were registered before the same police station on the same date within a span of 50 minutes commencing from 03:05 p.m. and concluding at 03:55 p.m. and all the FIRs bear consecutive numbers. All the penal offences in the FIR are same for all the five FIRs. The accused person named in all the FIRs are also same. Date of first incident as stated in each of the five FIRs are same, i.e. 2nd May, 2021 which is about 5 years and 2 months previous to lodging of the complaint and the date of second incident in the FIR vary from 9th May, 2026 to 11th May, 2026 and the FIR was registered on 13.07.2026, i.e. after 63 to 65 days of the incident and the FIR does not bear any explanation for such delay in lodging the complaint before the police.

He further submits that the present petitioner is a hapless victim of harassment and a witch hunt perpetrated by the ruling dispensation owing solely to the fact that he is associated with a political party which is in opposition to it. Furthermore, without making any preliminary enquiry all the investigations were started

though the FIR involves inordinate delay without explanation. The allegations are also vague and omnibus and have been made with a mala fide intention to curtail the personal liberty of the petitioner. He further submits that the mala fide intention of the complainant is further reflected from the fact that formal FIR in connection with five cases referred above including the present one would reveal that the main alleged incident not only took place more than 5 years before registration of the FIR but they were co-incidentally committed on 02.05.2021 itself, i.e. the date on which the result to the West Bengal Assembly Election, 2021 had been declared.

He further submits that major portion of the five written complaints seems to have been copied from a single draft, even the names of the accused persons as mentioned in the said complaint are exactly the same. Therefore, it gives rise to a cloud of suspicion regarding concerted and coordinated manner in which the five complaints have been drafted and the five FIRs including the present one have been registered. Therefore, further continuance of the impugned proceeding would be mere abuse of the process of the Court and, as such, the said proceeding is liable to be quashed.

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

Petitioner is directed to serve a copy of application upon the State through the office of Public Prosecutor, High Court, Calcutta and upon opposite party no.2 through speed post intimating next date of hearing and to file affidavit of service on the returnable date.

Let the matter be listed in the Monthly List of September, 2026.

Learned Counsel for the petitioner prays for interim relief.

Having heard learned Counsel for the petitioner and that the petitioner has made out an arguable case which requires adjudication on merit, let the investigation shall continue but the Investigating Agency shall not take any coercive sep against the petitioner for a period of 8 weeks or until further order, whichever is earlier in connection with Narendrapur Police Station Case No.930 of 2026 dated 13.07.2026 on condition that petitioners shall make all sorts of co-operation with the investigating agency.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Dr. Ajoy Kumar Mukherjee, J.)