

D/L – 322
02/08/2025
Court No.28
S.Kundu

CRR 3336 of 2025

Biswajit Sarkar & Anr.
Vs.
The Central Bureau of Investigation & Anr.

Mr. Moyukh Mukherjee
Ms. Sagnika Banerjee
Ms. S. Basak
Mr. Samrat Mondal

...for the petitioners.

1. Leave is granted to add State of West Bengal as a party.
2. Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the brother and the mother of the victim who was brutally murdered by, amongst others, goons belonging to the ruling political dispensation. The mother is an octogenarian. The petitioners have been subjected to threats, assaults and even false criminal cases. The Courts had to intervene and provide protection to the petitioners on several occasions, including granting police protection to the petitioner no.1. The present case is also a false case started maliciously to keep them busy and deterred. No *prima facie* case is made out against the petitioners as would be evident from the plain reading of the First Information Report. Any

further continuation of the proceeding shall be an abuse of the process of law.

3. Let the petitioners serve a copy of the application upon the State through the learned Public Prosecutor and upon all the opposite parties by speed post with AD, within a week and file affidavit of service on the next date.
4. List this matter for hearing as Contested Application after four weeks.
5. The State shall produce the case diary on the next date.
6. The petitioners shall be at liberty to pray for stay of the proceedings upon production of the case diary.
7. No coercive steps shall be taken against the petitioners till six weeks from date.
8. The petitioners shall be at liberty to pray for extension or modification or vacating of the interim order upon notice to the other side.
9. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)