

18.09.2025
Ct. No. 446
Item No.16
KS

C.R.R. 3814 of 2025

In the matter of: **Subhajit Biswas**

..... Petitioner

Mr. Prabir Adhya
Ms. Madhumanti Chakraborty
....For the Petitioner

1. This instant criminal revisional application has been filed under Section 528 for quashing of the proceeding being, Mohanpur Police Station Case No.190 of 2024 dated 05.11.2024 under Sections 126 (2) / 115(2) / 74/ 85/ 351 (2) / 3(5) of the B.N.S.S., 2023 now pending before the learned 4th Judicial Magistrate, Barrackpore, North 24 Parganas.
2. It is submitted that the present petitioner is the cousin (Bhagne) of present opposite party and there exists a family feud between two brothers in respect of the property matters and the matters are being cloaked with the criminal intent and has filed this complaint with false and concocted story.
3. It is further submitted that the instant complaint lodged by the opposite party no.2 is the second complaint lodged against the same person almost identical in nature with the complaint lodged by earlier on 30th May, 2023. In both the matters, charge-sheets have been submitted. The present petitioner no.1 is already surrendered and all other F.I.R. named accused persons have surrendered and obtained an order of bail.
4. The petitioner is taking the preparation for appearing in the examination for different Government services and this type of complaint lodged against him is highly prejudicial for him. Accordingly, petitioner prays for quashing of such proceeding.

5. Heard the submission, perused the entire materials on record and the contents of the complaint lodged by the present opposite party no.2 and the nature of complaint as well as the role attributed by the present petitioner and the seriousness to the same it further transpires from the annexure of this revisional application that prior to this complaint, the present opposite party no.2 also lodged another complaint, where also the present petitioner, a F.I.R. named accused person.
6. In view of the above facts and circumstances, this Court is of the view that the matter is required to be heard in presence of the opposite parties.
7. Accordingly, petitioner is directed to serve copy of this criminal revisional application alongwith all annexures upon the State through the office of the learned Public Prosecutor, High Court, Calcutta as also the opposite party no.2 by Speed Post with acknowledgement due and file affidavit of service to that extent on the next date of hearing.
8. Let the matter be listed before the Regular Bench in the Combined Monthly List of November, 2025.
9. Liberty is given to the petitioner to pray for stay of the proceedings, if situation so arises.
10. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(CHAITALI CHATTERJEE (DAS), J.)