

**CRR 3998 of 2025**

In the matter of: **Sanjib @ Sanjeeb Sarkar**

....Petitioner.

Mr. Avik Ghatak  
Mr. Purbayan Chakraborty  
Ms. K. Kubra  
...for the petitioner

Leave is granted to file supplementary affidavit. The same as filed in Court is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The allegation against the present petitioner is that the petitioner was not handing over the Deed of the property although an agreement had been entered into in respect of the same and substantial consideration money was paid. Although a sum of only about Rs. 5.5 lakhs was paid as part of earnest money, it has been alleged that a sum of Rs. 25 lakhs was paid out of a total consideration of Rs. 27 lakhs. The dispute is purely civil in nature. In spite of this, the learned trial Court is contemplating proceeding under Section 107 of the BNSS. Show cause notice has been issued.

Let the petitioner serve a copy of this application upon the State through the learned Public Prosecutor and upon the opposite party no. 2 by speed post with acknowledgment due, within a week. Affidavit of service to that effect shall be filed on the next date.

List this matter for hearing under the heading “Motion” one week after the ensuing puja vaction.

The impugned proceeding so far it relates to Section 107 of the BNSS shall remain stayed till three weeks after the ensuing puja vacation.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

**(Jay Sengupta, J.)**