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(Ct. No. 29)  
08.05.2026  
(Susanta)

**CRR 4167 of 2025**

**Soutrik Bhattacharjee & Anr.  
Vs.  
The State of West Bengal & Anr.**

Mr. Sourav Mondal,  
Mr. Aditya Mondal,  
Mr. Arijit Bhuiya,  
Mr. Rony Mondal,  
Mr. Debarghyo Sil,

...for the petitioners.

The opposite party no.2 herein made a complaint on 03.04.2016, inter alia, alleging that the petitioners and other two persons have restrained the maid servants of the opposite party no. 2 and started insulting them with filthy language and also threatened the said maid servants and assaulted them. After investigation police has submitted charge-sheet against all the accused persons under Sections 324/341/323/506/509/34 of the Indian Penal Code, 1860.

Being aggrieved by the aforesaid proceeding, the learned Counsel for the petitioners submits that the allegation against the present petitioners are general, omnibus in nature and no specific overt act has been attributed against any of the present petitioners.

The petitioner no.2 Sreshtha Bhattacharjee aged about 13 years at the time of alleged occurrence.

His further contention is that opposite party no.2 has initiated the proceeding as a weapon of harassment with the intention to belittle the petitioners and to cause humiliation. The allegation leveled in the complaint are baseless, frivolous and the essential ingredients to constitute offence as alleged in the F.I.R

have not been made out either in the complaint or from the materials collected during investigation.

Under such circumstances, further continuance of the impugned proceeding would be mere abuse of the process of the Court.

Having heard the learned Counsel for the petitioners, the application stands admitted.

Petitioners are directed to serve a copy of application upon the State through the office of the Public Prosecutor, High Court Calcutta and upon the 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 July, 2026.**

Learned Counsel for the petitioners also prays for stay of the impugned proceeding.

Having heard the learned Counsel for the petitioners and that the petitioners have made out an arguable case, let the instant proceeding being A.C.G.R. Case No. 1938 of 2016 presently pending before the learned Additional Chief Judicial Magistrate, Alipore be stayed for a period of twelve weeks or until further orders whichever is earlier qua the petitioners Soutrik Bhattacharejee and Sreshtha Bhattacharjee.

Urgent Photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

**( Dr. Ajoy Kumar Mukherjee, J. )**