

28.02.2025.
18.
Ct.No.28.
as

C.R.R. 4113 of 2024

In Re:- An application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

In the matter of : ***Kanai Lal Hazra & Anr.***

.... Petitioners.

Md. Nure Zaman.

...for the Petitioners.

1. Petitioners submit opposite party no.1 and her son assaulted him. As a result, he suffered injuries. He lodged FIR which has resulted in a charge sheet.
2. In retaliation, opposite party no.1 has filed the impugned false case.
3. I have considered the materials on record in light of the aforesaid submission. Petitioner has made out an arguable case for quashing on the ground of *mala fides*.
4. Copy of the application be served upon opposite party No.1 through registered speed post with acknowledgement due and upon opposite party No.2 through Learned Public Prosecutor, High Court, Calcutta and file affidavit of service on the next date of hearing.
5. Matter will appear as 'Contested Application' four weeks hence.
6. There shall be stay of operation of the impugned complaint case being C. Case No.819 of 2023 pending before the learned 4th Judicial Magistrate at Barrackpore, 24-

Paraganas, North for a period of six weeks from date or until further orders, whichever is earlier.

7. Liberty is given to the parties to pray for extension and/or vacation and/or modification of this order upon notice to the other side.

8. Urgent Photostat certified copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities

(Joymalya Bagchi, J.)