

13.01.2025  
rc/ct.no.34  
Item No.266

**CRR No.4141 of 2024**

**In the matter of : Anil Krishna Paul**

**.....Petitioner**

Mr. Shivaji Kumar Das  
Ms. Priyanka Bhattacharya  
Ms. Sulagna Chakraborty

...for the Petitioner

The petitioner seeks quashing of proceeding being Special Case No. 6 of 2012 pending before the learned Additional Sessions Judge, 3<sup>rd</sup> Court, Barasat, North 24 Parganas.

Learned counsel for the petitioner submits that one Harihar Mitra executed a will in favour of the petitioner in respect of his property and upon his demise, the petitioner applied for probate of the said will. The private opposite party who is an heir of Harihar Mitra challenged the will before the learned Additional Sessions Judge, 13<sup>th</sup> Court, Alipore the probate proceedings as well as a separate proceeding filed by the private opposite party seeking revocation of the will are pending before the said learned Court. The present complaint has been lodged against the petitioner under Sections 409/465/467/468/471/34 of the Indian Penal Code on the self same issue as in the earlier case and charge sheet has been submitted.

The matter needs to be heard on merits.

Petitioner is directed to serve copy of the application along with annexure thereto upon the opposite parties and file affidavit of service on the adjourned date.

Let this matter appear under the heading “Contested Application” in the monthly list of March,2025.

Further proceedings of Special Case No. 6 of 2012 pending before the learned Additional Sessions Judge, 3<sup>rd</sup> Court, Barasat, North 24 Parganas be stayed till March 31, 2025 or until further orders, whichever is earlier.

**(Suvra Ghosh,J)**