

**06.01.2023**

Sl. No. 17.

D/L.

Mithun.

Ct.No.42.

**CRR/4013/2022**

**Sri Abhishek Biswas alias Avishek Biswas alias Avishak Biswas  
alias Abhisekh Biswas & Ors.**

**Vs.**

**The State of West Bengal & Anr.**

Mr. Aniruddha Bhattacharya, Adv.

Mr. Indranuj Dutta, Adv.

Ms. Sweta Bhatta, Adv.

Ms. Ritwika Ghosh, Adv.

Ms. Esha Das, Adv.

...for the petitioner.

It is the grievance on behalf of the petitioner that Serampore Police Station Case No.03 of 2022 dated 2<sup>nd</sup> January, 2022 under Sections 498A/406/323/506/34 of the Indian Penal Code was registered on the basis of an application under Section 156(3) of the Code of Criminal Procedure without any averment therein that before lodging the application under Section 156(3) of the Code of Criminal Procedure, the complainant had complied with the provisions of Section 154(1) and Section 154(3) of the Code of Criminal Procedure.

The Instant revision be admitted.

The petitioners are directed to serve notice upon the private opposite party under registered speed post with acknowledgment due and file affidavit of service within three weeks from the date of this order.

The State of West Bengal be served through the learned Public Prosecutor, High Court, Calcutta.

In the meantime, further proceedings in respect of G.R. Case No. 03 of 2022 pending before the learned Judicial Magistrate, 2<sup>nd</sup> Court at Serampore be stayed for a period of six weeks.

**( Bibek Chaudhuri, J. )**