

**11.12.2025**

Court No.29

Item.22

D/L

**(Srimanta)**

**CRR/4955/2025**

In the matter of: **Joy Prakash Law & Ors.**

**.....petitioners.**

Mr. Anirban Dutta,  
Mr. Niloy Sengupta,  
Ms. Ritaja Mukherjee,  
Mr. Sujit Banerjee

...for the petitioners.

Mr. Somopriya Chowdhury,  
Mr. Shubhojyoti Dutta,  
Mr. Sayam Daw,  
Mrs. Swati Bhattacharyya

...for the respondent no. 2.

1. This is an application wherein petitioners have prayed for quashing of the proceeding being GR(S) Case No. 947 of 2023 presently pending before the Learned 16<sup>th</sup> Judicial Magistrate, Bankshall Court. The petitioners' contention is that after completion of investigation Police has submitted charge-sheet and from the charge-sheet it appears that at the time of incident as stated in the complaint the men and agents, whose names were not known, tried to break upon the padlocks of the gate of the premises and tried to take forceful illegal entry into the property and in the process some articles were stolen by the unknown culprits and some articles were damaged and some persons got physically assaulted but the Case Diary does not contain any specific medical certificate to prove

bodily injury caused to any person employed by the complainant and investigation further reveals that the complainant and his witnesses did not supply any medical certificate of any person claimed to have been assaulted or injured.

2. In the above background, Learned Counsel for the petitioners submits that further continuance of the instant proceeding against the present petitioners will be mere abuse of the process of the Court. Learned Counsel appearing on behalf of the opposite parties submits that he has already filed one application under Section 173(8) of the Code of Criminal Procedure seeking further investigation which is pending for hearing and next date is fixed on 7<sup>th</sup> January, 2026 as they are not satisfied with the investigation done by Police.

3. Having heard Learned Counsel for the petitioners, I find that the instant application involves issues which require adjudication and as such the application is admitted. Petitioners are directed to serve a copy of the application to the Learned Counsel appearing on behalf of the opposite party in course of the day and will also serve a copy of the application upon the State through the office of the Public Prosecutor, High Court, Calcutta.

4. Learned Counsel for the petitioners seeks for interim relief. Having heard the Learned Counsel for the petitioners as well as considering the objection raised by the Learned Counsel appearing

for the opposite party no. 2, let the trial of the proceeding being GR Case No. 947/2023 presently pending before the Learned 16<sup>th</sup> Judicial Magistrate, Bankshall Court be stayed for a period of 12 weeks or until further order, whichever is earlier. However, this stay order will not preclude the Court below to dispose of the opposite parties' application filed under Section 173(8) of the Code of Criminal Procedure on the date fixed or soon thereafter.

5. Matter to appear in the Combined Monthly List of February, 2026.

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