

12.
27.11.2025
Bd.
Ct. 29

CRR 5067 of 2025
Shantanu Thakur & Ors.

Vs.
State of West Bengal & Anr.

Mr. Rajdeep Majumder.
Mr. Moyukh Mukherjee
Ms. Sagnika Banerjee

... for the petitioners.

Being aggrieved and dissatisfied with the proceeding in connection with the GR Case No. 3598 of 2025 presently pending before learned Additional Chief Judicial Magistrate, Bongaon, the instant application has been preferred by the petitioners with a prayer for quashment of the said proceeding.

It is submitted on behalf of the petitioners that the impugned proceeding is gross abuse of the process of the Court and is harassive and vexatious in nature. The petitioner being the Sanghadhipati of All India Matua Maha Sangha is supposed to issue religious certificates to its members. In fact, if the uncontroverted allegation made in the FIR and the evidence collected in support of the same are taken to be gospel truth it does not disclose commission of any cognizable offence or to make out any case for investigation against the accused persons. At best present allegation can constitute non-cognizable offence for which no investigation is required to be conducted. He referred the Judgment of State of Haryana & Ors. Vs. Ch. Bhajanlal reported in AIR 1992 SC 604 and contended that the instant application has been attended with malafide and malicious intention and with ulterior motive for wrecking vengeance on the accused persons and also with a view to spite him due to private

and political grudge and as such the petitioners pray for quashing the entire proceeding.

Upon hearing learned counsel for the petitioners, the application is admitted.

Petitioners are directed to serve a copy of the application upon the State through the office of the Public Prosecutor, High Court, Calcutta and upon private opposite party intimating next date of hearing and to file affidavit of service on the returnable date.

Mr. Majumder, learned counsel for the petitioners prays for interim stay of the impugned proceeding.

Having heard learned counsel appearing on behalf of the petitioners and that the petitioners have made out an arguable case, which requires adjudication on merit, it is ordered that the investigation shall continue but the investigating officer shall not take any coercive steps against the petitioners for a period of 12 (twelve) weeks from date or until further order, whichever is earlier on condition that the petitioners shall co-operate with the investigating agency.

Let the matter be listed under the heading "Contested Application" in the monthly list of February, 2026.

(Dr. Ajoy Kumar Mukherjee, J.)