

02.04.2025  
Sl. No.103  
Court No.3  
KS

**IN THE HIGH COURT AT CALCUTTA  
CIRCUIT BENCH AT JALPAIGURI**

**CRR 137 of 2025**

**Rajinder Singh Manku**

**Vs.**

**State of West Bengal & Anr.**

Mr. Sourav Chatterjee, Sr. Adv.

Mr. Shatadru Lahiri

Ms. Esha Acharya

Mr. Kanchan Jaju

.....For the Petitioner

This instant revisional application has been preferred invoking the provision of Section 528 of the Bharatiya Nagarik Suraksha Sanhita with a prayer for quashing of the proceeding in connection with G.R. Case No.5987 of 2024 arising out of Banarhat P.S. Case No.341 of 2024 dated 26th November, 2024 under Section 316(2)/ 316(5) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

Learned counsel appearing on behalf of the petitioner submitted that under the Provident Fund Act employer is liable to deduct the share of the employee and remit back the same to the appropriate authority together with a share of the employer. It is submitted that Director not being the employer was impleaded in this case as an accused.

Having heard the learned counsel on behalf of the petitioner, appearing virtually as well as having gone through the record, the revisional application stands admitted.

Petitioner is directed to serve notice upon the opposite party no.1 through the office of the learned Public Prosecutor, High Court and also upon the opposite party no.2 through Speed Post with acknowledgement due and file an affidavit of service on the returnable date.

Learned counsel appearing on behalf of the petitioner submits that the case is presently pending before the Court of learned Chief Judicial Magistrate, Jalpaiguri and prays for stay of all further proceedings otherwise the very purpose of filing of the revisional application shall stand frustrated.

Considering all the facts and circumstances, the proceeding in connection with G.R. Case No.5987 of 2024 pending before the Court of learned Chief Judicial Magistrate be stayed for a limited period only i.e. till one week after the ensuing Summer Vacation, 2025 or until further order, whichever is earlier.

Let the matter be listed before the next available Circuit.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance of the requisite formalities.

**(Bibhas Ranjan De, J.)**