

22.04.2026

Item no.24.

Court No.5.

Suman

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Criminal Revisional Jurisdiction**

CRR 145 of 2026

In the matter of : Amulya Singha

.....Petitioner.

Dr. Arjun Chowdhury
Ms. Pratusha Dutta Chowdhury
Ms. Sunayana Parveen
Ms. Riya Agarwala
Mr. Mantu Mondal
..for the petitioner

This application has been preferred seeking quashing of Matigara Police Station Case No. 551 of 2025 dated 23.08.2025 under Sections 316(2)/318(4)/351(2) of Bharatiya Nyaya Sanhita, 2023.

Dr. Chowdhury, learned advocate appearing for the petitioner, refers to certain averments made in the complaint and submits that two powers of attorney were executed by the complainant in favour of the present petitioner in the years 2008 and 2011, respectively, thereby authorising the petitioner to sell her land and to execute the necessary instruments before the competent authority to complete such sale. It is contended that, acting under such authority, the petitioner, in the year 2012, sold a portion of the complainant's land and duly paid the entire consideration to her. It is further submitted that, after an inordinate lapse of about thirteen years, the present criminal proceeding has been instituted with an oblique motive and as a pressure tactic to extract additional amounts from the petitioner. According to him, if such

proceedings are permitted to continue, the same would amount to a misuse of the due process of law.

Referring to the decision reported in *(2023) 20 SCC page 120 (Chanchalpati Das Versus State of West Bengal and Anr.)*, he submits that, in the said case, criminal proceedings had been initiated after a lapse of nearly eight years, and, taking note of such inordinate and unexplained delay, the Hon'ble Supreme Court was pleased to quash the said proceedings

Having heard the learned advocate appearing for the petitioner and upon perusal of the materials on record placed before this Court, I am of the view that a good arguable case has been made out by the present petitioner and unless an interim order is granted, the petitioner shall be highly prejudiced.

In view thereof, the proceedings originated from Matigara Police Station Case No. 551 of 2025 dated 23.08.2025 under Sections 316(2)/318(4)/351(2) of Bharatiya Nyaya Sanhita, 2023 shall remain stayed until the end of May, 2026 or until further order whichever is earlier.

The petitioner is directed to serve a copy of this application upon the opposite parties and to file affidavit of service on the returnable date.

Let the matter be placed before the next available Circuit Bench for further consideration.

(Partha Sarathi Chatterjee, J.)