

11.09.2024
Sl. No.9
Court No.3
Sk/sg.

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

C.R.R. 330 of 2024

Sandhir Agarwal and Anr.

Vs.

The State of West Bengal and Anr.

Mr. Avik Ghatak (VC)
Mr. Shoham Dey Dhara
Mr. Sampad Das
Ms. Avipsha Dutta Royfor the petitioners

The proceeding in G.R. Case No.2391 of 2024 is challenged by the petitioners in this case on the grounds, inter alia, that the proceedings with respect to the non-cognizable offence alleged against the petitioners have been started and proceeded with, in defiance of the statutory provisions. Thus, the same is not only frivolous but also illegal.

Learned advocate appearing for the petitioner through video conference has submitted that the entire matter germane with respect to the dispute within the family concerning the authority and control over the company. He has taken this Court to FIR, certified copy of the relevant orders and the statutory provisions from which the Court is constrained to form a prima facie opinion regarding non-maintainability of the proceeding in the trial Court as alleged.

In such circumstances, let a notice be served by the petitioner upon the opposite parties and file affidavit-of-service in Court.

Let the matter be adjourned today and be placed before the next Circuit Bench.

There will be a stay of all further proceedings in connection with G.R. Case No. 2391 of 2024 arising out of Bhaktinagar P.S. Case no.427 of 2024 dated 17.05.2024 upto the next date when the Court shall take up this matter for hearing.

(Rai Chattopadhyay, J.)