

1,2 22.07.2022

3

&

4

Ct-08

ar

MAT 1165 of 2019

Shakti Shankar Bagchi

Vs.

**Hon'ble Chief Justice,
High Court, Calcutta & Ors.**

with

CRR 990 of 2021

Mumtaz Begum

Vs.

State of West Bengal & Anr.

with

CRAN 2 of 2022

WPA 26517 of 2016

Shakti Shankar Bagchi

Vs.

State of West Bengal & Ors.

with

WPA 9934 of 2016

Shakti Shankar Bagchi

Vs.

**Hon'ble Chief Justice,
High Court, Calcutta & Ors.**

Mr. Shakti Shankar Bagchi (in person)
.... For the Appellant MAT 1165 of 2019 and
for the petitioner in WPA 26517 of 2016,
WPA 9934 of 2016

Mr. Billadal Bhattacharyya, Ld. Asst. Solicitor
General of India

Mr. Arijit Majumder
.... For the Union of India

Mr. Soumendranath Mukherjee,
Ld. Advocate General

Mr. Biswabrata Basu Mallick

Mr. Anubrata Santra

.... For the State in MAT 1165 of 2019,
WPA 26517 of 2016, WPA 9934 of 2016

Mr. Jaydip Kar, Sr. Adv

Mr. Siddhartha Banerjee

.... For the High Court Administration

Mr. Pradyumna Sinha

Mr. Avik Ghatak

Mr. Soham Kumar Roy

Mr. Saibal Kumar Dasgupta

.... For the Petitioner in CRR 990 of 2021

Mr. Saswata Gopal Mukherjee, Ld P.P
 Mr. Swapan Banerjee
 Mr. Suman De
 For the State in CRR 990 of 2021

The report of the Superintendent of Police, Murshidabad P.D, dated 18th July, 2022 filed before us by Mr. Biswabrata Basu Mallick, learned A.G.P in view of our order dated 24th June, 2022 is taken on record. We are not satisfied with the punishment awarded to the delinquent police officers. The view taken against them is lenient. However, taking into consideration that the said police officers were censured on 14th March, 2019 and one of them had retired, we are not inclined to give any further direction in this regard.

In view of the above, MAT 1165 of 2019 is disposed of along with WPA 26517 of 2016 and WPA 9934 of 2016.

Re: CRR 990 of 2021
with
CRAN 2 of 2022

Mr. Pradyumna Sinha, learned counsel appearing for Mumtaz Begum in CRR 990 of 2021 has produced before us an order passed by learned Judicial Magistrate, 1st Class, 2nd Court, Berhampur, Murshidabad on 6th July, 2022.

In view of the fact that the petition of complaint prima facie discloses the commission of offence, we are not inclined to entertain the prayer for quashing of the complaint at this stage.

We direct the learned Judicial Magistrate, 1st Class, 2nd Court, Berhampur, Murshidabad to proceed with the complaint in accordance with law and dispose of the same preferably within a

period of six months from the date of communication of this order without granting any unnecessary adjournment to either of the parties unless it is unavoidable.

The accused, Mumtaz Begum, shall participate in the proceeding as and when her presence is required and assist the Court in disposing of the matter.

Learned Magistrate shall not be influenced by the observation made by us in deciding the criminal complaint on merits.

In view of the above, CRR 990 of 2021 stands dismissed.

In view of dismissal of the CRR 990 of 2021, CRAN 2 of 2022 is also dismissed.

Mr. Shakti Sankar Bagchi may approach before the DALSA concerned for legal assistance in the criminal matter.

In the event, any request is made by Mr. Bagchi, the Secretary DALSA shall appoint a competent lawyer from the panel to represent on behalf of Mr. Bagchi in the criminal matter.

(Siddhartha Roy ChowdhuryJ.)

(Soumen Sen, J.)

