

12.12.2024
Court No.35
Sl No.582
CP

WPA No. 9604 of 2024

Jahangir Hossain Mondal
- Versus -
The State of West Bengal & Ors.

Mr. Robiul Islam
Mr. Raju Mondal
Mr. M. Rahman

...for the petitioner.

Mr. Somnath Ganguli
Mr. P. K. Basu

...for the State.

1. Affidavit of service is taken on record.
2. The petitioner is aggrieved by the fact that he has received a summon in connection with Jalangi P.R. No. 161 of 2024 to appear in a proceeding under Section 107 Cr.P.C., before the learned Executive Magistrate, Domkal on 05.03.2024. The document which has been annexed prima facie reflect that more than six months have passed since the initiation of the case and the foundation on which the said case was initiated is on the basis of facts in the early part of the year 2024.
3. Learned Advocate appearing for the State submits a report. The report reflects that in the year 2021 during the general assembly elections a case was registered being Jalangi P.S. Case No.104/2021, wherein charge-sheet has already been submitted in the year 2021. Presently, we are in December

2024 and the present proceedings relate to Section 107/116 Cr.P.C., where preventive measures were taken against the petitioner during the General Parliamentary Election, 2024.

4. I am of the opinion that at this stage nothing survives so far as the case being Jalangi P.R. No. 161 of 2024 before the Executive Magistrate. Accordingly, further proceedings of Jalangi P.R. No. 161 of 2024 is quashed.
5. With the aforesaid observations, the writ petition being WPA 9604 of 2024 is disposed of.
6. The report be kept with the record.
7. All concerned parties shall act on the server copy of this order duly downloaded from the official website of this Court.
8. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)