

06-11-2024
Court No.3
Sl. No. 49
S.Akhtar

**In The High Court At Calcutta
Circuit Bench at Jalpaiguri**

C.R.R 312 of 2024

**SHREE BAJRANG VENTURES AND ORS.
VS
STATE OF WEST BENGAL AND ANR.**

*Mr. Sandip Mandal, Adv.
Mr. Abhilash Mittal, Adv.
...for the Petitioner.*

*Mr. Debasish Mukhopadhyay, Adv.
Ms. Srishthi Sarkar, Adv.
...for the O.P. No.2*

*Mr. Aditi Shankar Chakraborty, Ld. A.P.P.
Mr. Dr. Arjun Chowdhury, Adv.
...for the State.*

The instant application is filed for quashing the proceeding being G.R. Case No. 3834 / 2024, Corresponding to the Bhaktinagar Police Station Case No. 706/2024 dated 04.08.2024, Under Section 329(3)/223/3(5) of Bharatiya Nyaya Sanhita, 2023.

One written complaint was filed by the de facto complainant, namely, Sanjay Kumar

Agarwal dated 04.08.2024 before the Inspector-in-Charge, Bhaktinagar Police Station. Certified copy of the written complaint is filed.

The allegation made in the written complaint is violation of order of injunction passed by the Learned Civil Judge, Senior Division, Jalpaiguri on 13.10.2023 in Title Suit No. 195 of 2023.

Manifestly, violation of injunction order can be addressed by filing appropriate application under Order 39 Rule 2A of the Code of Civil Procedure. If necessary, the Court may pass the Order for police help. The instant complaint is manifestly frivolous as the police authorities are not authorized to implement the Order of the Court in absence of any direction.

I have heard extensively the Learned Advocate for the petitioner.

The Learned Counsel for the State agreed that the written complaint lodged in Bhaktinagar Police Station is misconceived.

Accordingly, G.R. Case No. 3834 of 2024 corresponding to Bhaktinagar Police Station Case

No. 706/2024 dated 04.08.2024, under Section 329(3)/223/3(5)j of Bharatiya Nyaya Sanhita, 2023, stands quashed.

The instant order may be communicated to the Learned C.J.M, Jalpaiguri.

(SUGATO MAJUMDAR, J.)