

Sl.No.
17- 01.08.2025
19
Court
No. 35
G.S.Das

WPA 297 of 2020

With
CAN 1 of 2020
CAN 2 of 2022

With
CRR 617 of 2025
With

WPA 7054 of 2024
With
CAN 1 of 2024

Uttam Kumar Halder
-Vs-
The State of West Bengal & Ors.

Mr. Uttam Kumar Halder
... Petitioner-in-person
Mr. Debnarayan Patra
Mr. Pashupati Sana
... for the State-respondent(s)
In WPA 7054 of 2024
Mr. Moyukh Mukherjee
Mr. Abhijit Singh
Ms. Sagnika Banerjee
... for the respondent nos.8 and 10
In WPA 297 of 2020
Mr. Pantu Deb Roy, Id. AGP
Mr. Subrata Guha Biswas
... for the State in WPA 297 of 2020
Mr. Debasis Roy, Id. PP
Mr. Arijit Gangly
... for the State in CRR 617/25

CRR 617 of 2025

The petitioner (in person) is
aggrieved by the fact that proper Sections

were not incorporated when the Charge-Sheet was submitted before the jurisdictional court. It has been emphatically stated by the petitioner that he was assaulted within the four walls of the court room as also attacked in an organized manner. The same led to severe injuries for which he had to be shifted to the government hospital.

There are materials which are appearing in the Case Diary. I also find that there are injury reports.

Having considered that the police authorities have recorded the statement of the petitioner being an injured and the value of such statement of an injured, having immense evidentiary value, the same clubbed with the injury reports makes out an offence. As such, it would be the duty of the learned Magistrate while considering the materials appearing in the records to assess regarding the applicability of the Sections as has been

prayed for by the petitioner.

Since Charge-sheet has already been submitted before the jurisdictional Court, the petitioner being a professional advocate may be allowed to assist the learned Public Prosecutor while the criminal case is conducted. The learned Magistrate would ensure that the petitioner is not faced with any non-cooperation from the conducting advocate(s) appearing on behalf of the prosecution or the defence, regarding the issue whether there is any justification in accepting the contention which may be filed by way of an application before the concerned court by the defacto-complainant/the petitioner herein.

Since the petitioner (appearing-in-person) submits that a prayer for further investigation has been applied before the learned Magistrate, the learned Magistrate *in seisin* of the same, would consider the overall circumstances appearing in the Case Diary and decide whether there may

be addition and/or alteration of any Section or the provisions of Section 319 of Cr.P.C. can be to be invoked at the appropriate stage.

With the aforesaid observations, CRR 617 of 2025 is disposed of.

WPA 297 of 2020

With

WPA 7054 of 2024

The petitioner (appearing-in-person) is still apprehensive regarding carrying out of professional activities at the premises of the ACJM, Baruipur Court because of the private respondents and/or accused in Baruipur PS Case No. 2834 of 2019.

Having considered the same, I direct the police authorities to oversee that no harm is created to the petitioner at the behest of the private respondents.

In case, the petitioner feels insecure, in that case, he would take out an appropriate application. The learned

ACJM will not deter to cancel the bail if he/she is satisfied that there has been interference with the life and professional activities of the petitioner.

With the aforesaid observations, WPA 297 of 2020 along with CAN 1 of 2020 & CAN 2 of 2022 and WPA 7054 of 2024 along with CAN 1 of 2024 is disposed of.

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)

