

CRR 1575 of 2025

In the matter of: *Jayjit Dhar @ Joyjit Dhar*
... *petitioner*

Mr. Sourav Bhattacharyya
... for the petitioner.

Learned counsel for the petitioner submits as follows. The petitioner has been falsely implicated in this case. No prima facie case is made out as would be evident from a plain reading of the FIR and the statements recorded. Moreover, the FIR was recorded under the format of First Information Report under Section 154 of the Code, although by that time the BNSS has already come.

Perused the FIR and the statements of witnesses recorded.

It appears that the prime allegations against the petitioner was that he, as a teacher of the minor victim, was sending vulgar photos and videos to the underage girl and was giving indecent gestures and proposals. There are statements of witnesses which support the prosecution case.

The issue of using wrong format for registering FIR may be a curable irregularity of procedure. For this, the evidence collected cannot be shut out. Moreover, Courts have always held that content was important, not the nomenclature.

In view of the above, I am of the view that the prima facie case is made out against the petitioner. Therefore, the impugned proceeding cannot be quashed.

Accordingly, the application for quashing is dismissed.

There, however, shall be no order as to costs.

The petitioner shall be at liberty to take all points available to him, including the technical ones raised herein, before the trial court at an appropriate stage.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)