

28.11.2025
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**CRR 1666 of 2025
With
CRAN 1 of 2025**

**Arati Bera @ Arati Bala Bera & Ors.
Vs.
The State of West Bengal & Anr.**

Mr. Soumajit Chatterjee ...for the Petitioners

Md. Anwar Hossain
Mr. Subham Bhakat ...for the State

Re: CRAN 1 of 2025

Affidavit of service filed by the petitioners is taken on record. Opposite party no. 2 is not represented.

This is an application wherein the petitioners have prayed for restoration of the application being no. CRR 1666 of 2025 in its original file after setting aside the order of dismissal dated 2nd July, 2025.

Having heard learned counsel for the petitioners, the prayer for restoration made by the petitioners is allowed.

Let CRR 1666 of 2025 be restored in its original file with original number.

CRAN 1 of 2025 is accordingly disposed of.

Re: CRR 1666 of 2025

This is an application wherein the petitioners have contended that the petitioner nos. 1 and 2 entered into an agreement for sale with the opposite party no. 2 and his wife to sell a piece of land on 13.3.1991. Thereafter, in terms of the said agreement, the opposite party no. 2 and his wife failed to

pay the rest consideration amount and as such, the deed was not executed. Thereafter, on 12th March, 2010, the petitioner nos. 1 and 2 sold the said piece of land to the co-accused, Prabhati Mridha. Long after about 33 years, the instant FIR has been lodged with some false and frivolous allegations over a civil dispute.

Having heard learned counsel for the petitioners, the application is admitted.

Petitioners are directed to serve a copy of the application along with a notice of restoration upon the Opposite party no. 1 through the office of the Public Prosecutor, High Court at Calcutta and opposite party nos. 2 through speed post intimating the next date of hearing and to file affidavit of service on the returnable date.

Let the matter appear in the Monthly list of January, 2026 under the heading **“Contested Application”**.

Learned counsel for the petitioners also prays for interim stay of the impugned proceeding.

Having heard learned counsel for the petitioners and that the petitioners had made out an arguable case which requires adjudication on merit, let all further proceedings being G.R. case no. 91 of 2024 arising out of Lake Town Police Station case no. 14 of 2024 dated 30.1.2024 under Sections 420/406/120B/34 of the Indian Penal Code, presently pending before the learned Judicial Magistrate, Bidhannagar, North 24 Parganas be stayed for a period of twelve weeks or until further order, whichever is earlier.

Urgent Photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)