

August 25, 2025

8 ARDR

CRLCP 16 of 2025
In CRR 3870 of 2024
+
CRAN 1 of 2024
CRAN 2 of 2025
CRAN 3 of 2025
With
WPA 19931 of 2024

Dipesh Ghosh & anr.

vs.

Prosenjit Pal & anr.

Adv. Priyanka Sarkar,

... for the petitioner.

Adv. Joydeep Roy,
Adv. Abhinaba Mukherjee,

... for the contemnor no.1.

Adv. Faria Hossain,
Adv. Anand Keshri,

...for the contemnor no.2.

Considered the affidavits used by the alleged contemnors.

It appears that despite an order passed by this Court on September 12, 2024 directing stay of further proceeding of ACGR case no. 1891 of 2024 pending before the learned Additional Chief Judicial Magistrate, Alipore till December 24, 2024, the Investigating officer submitted charge sheet on November 19, 2024, cognizance of which was taken by the learned Magistrate on the same date. Summons was also issued upon the accused. The order of this Court was communicated to the learned Magistrate on October 29, 2024 and the learned Magistrate, in turn, communicated the same to the Investigating officer on the same date.

The conduct of the alleged contemnors amounts to gross violation of the order of this Court. The explanation given by the alleged contemnors is far from satisfactory. However, since the

alleged contemnors tender unconditional and unqualified apology before this Court, this Court, while taking serious exception to the conduct of both the learned Magistrate as well the Investigating officer of the case, accepts the apology tendered by the alleged contemnors, more so, since this appears to be their first lapse. The alleged contemnors are censured and cautioned not to repeat such violation in future.

With the above observation and direction, CRLCP 16 of 2025 is disposed of.

(Suvra Ghosh, J.)