

D/L 69
22.09.2025
Bpg.
ct.no.35

W.P.A.21872 of 2025

Md. Bakibillaha Gazi
Versus
The State of West Bengal & Ors.

Mr. Omar Faruk Gazi
Ms. Susmita Das
Ms. Shaoni Panda.
...for the petitioner.

Mr. Amitabrata Roy, Ld. G.P.
Mr. Debapriya Chatterjee
Mr. Hare Krishna Haldar.
...for the State-respondents.

Affidavit-of-service filed by the petitioner be
kept with the record.

Petitioner complains that he is being forced
to be a witness in a sessions triable offence.

I find summons have been issued by the
FTC, IV and Additional Sessions Judge, 24 Parganas
North. The said summons have been issued in
connection with Duttapukur P.S. Case No.627 of
2022 dated 27.06.2022 corresponding to S.T. No.2(3)
23. The said case is under the relevant provisions of
Sections 302/34 of the Indian Penal Code and
Sections 25/27 of the Arms Act.

Having considered that a criminal court is in
seisin of the issue and the summons have been

issued by a criminal court concerned, I am of the view that under Article 226 of the Constitution of India the prayer so advanced in the writ petition cannot be entertained.

Accordingly, WPA 21872 of 2025 is dismissed.

Report so submitted be kept with the record.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

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

(Tirthankar Ghosh, J.)