

18.11.2025

Ct. No. 42

Sl. No. 38
akd

In the High Court at Calcutta
Criminal Revisional Jurisdiction

C. R. R. 4562 of 2025

In Re: ***Sabyasachi Mandal & Ors.***

... Petitioners

Mr. Anupam Kumar Bhattacharya
Mr. Somnath Naskar
Mr. Samir Kumar Adhikari
Mr. Mrityunjoy Saha

... for the petitioners

Ms. Mita Banerjee
Mr. Barun Kumar Ray
Ms. Nilanjana Dasgupta

... for the victim

1. The revisional application has been filed for quashing of the proceeding arising out of FIR No. 139 of 2025 dated 06.09.2025 under Sections 69/316(2)/318(4)/351(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 pending before the learned Chief Judicial Magistrate, Barasat, 24-Parganas (North).
2. Learned counsel for the opposite party/victim has appeared on instruction.
3. Learned counsel for the petitioners, at the outset, submits that he does not press any relief against petitioner nos.1, 2 and 3 as they have appeared before the learned court after service of notice under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023. Learned counsel further submits that no notice under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been served upon petitioner no. 4. Learned counsel also submits that appropriate directions be issued upon the Investigating Officer not to take any coercive action without serving any notice under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

4. In view of the submission made, this Court directs the Investigating Officer to proceed in accordance with law only after service of notice under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. The revisional application is disposed of.

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

(Dinesh Kumar Sharma, J.)