

14.10.2025
ADSI-1. No.6
Ct No. 7
SG

WPA 24151 of 2025

**Sk. Safikul Islam
Vs
Union of India & Ors.**

Mr. Pintu Karar.

... for the petitioner

Mr. Amitabrata Roy,
Mr. D. Dutta,
Mr. S.D. Chandra.

... for the State

1. The petitioner has preferred the writ petition challenging the notice under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), vide Notice No. 7624/24 dated 07.10.2025 in connection with Malda Cyber Crime Police Station Case No. 28/2025 dated 05.10.2025, has been registered against him under Sections 353(1)(a)/353(1)(b)/353(2)/352/356(2)/61(2)/3(5) of the BNS.

2. It appears that the said notice is a very relevant part of the investigation to be carried out. The petitioner seeks for a similar order as passed in WPA 21356 of 2024 dated 12.09.2025.

3. Considering the same, the petitioner is directed to comply with the said notice and appear before the investigating officer/authority concerned on 27.10.2025 at 1.00 PM.

4. It is directed that the investigating agency shall not take any coercive action without at least serving a 15 days' notice upon the petitioner. The investigation in this case will continue in due course.

5. With the above direction, the present writ petition is disposed of.

6. Since no affidavits have been filed by the respondents, the allegations made in the writ petition shall not be deemed to have been admitted.

7. There shall be no order as to costs.

8. Let urgent Photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

[Shampa Dutt (Paul), J.]