

Form No. J(2)

Item No. DL / 18

RKD – A.R.(CT)

IN THE HIGH COURT AT CALCUTTA

**Constitutional Writ Jurisdiction
(Appellate Side)**

W.P.A. NO 11514 OF 2026

Manab Kumar Parua

-Vs-

The State of West Bengal & Ors.

BEFORE: THE HON'BLE JUSTICE SAUGATA BHATTACHARYYA

For the Petitioner : Mr. Soham De Dhara,
Mr. Kaushik Bandyopadhyay

For the respondent no.8 : Mr. Saikat Chatterjee

For the State : Mr. Rajdeep Mazumder
Mr. Moyukh Mukherjee

Hearing concluded on : 22.06.2026

Judgment on : 22.06.2026

SAUGATA BHATTACHARYYA, J.:

1. Matter is heard in presence of the learned advocates representing the petitioner, respondent no.8 and State respondents.
2. In terms of the order dated 22nd May, 2026 one supplement affidavit affirmed on 18th June, 2026 is filed today and same is taken on record.

3. From the said supplementary affidavit, it appears that there are ten criminal prosecutions pending against the petitioner apart from present one being Bhupatinagar Police Station Case No.202/2026 dated 14th May, 2026 in connection with which present writ petition is instituted.
4. Petitioner prays for quashing of FIR and as an interim measure prayer is also made for passing an order protecting personal liberty of the petitioner.
5. Mr. Mazumder, learned Additional Advocate General representing the State respondents has opposed this writ petition on the count that not only petitioner is implicated in Bhupatinagar Police Station Case No.202/2026 dated 14th May, 2026 but he is also implicated in ten other criminal prosecutions which are disclosed in the supplementary affidavit filed today.
6. It is also submitted that in the writ petition pendency of other ten criminal prosecutions are not disclosed. After Court was informed of pendency of other criminal prosecutions and order was passed on 22nd May, 2026, by filing supplementary affidavit ten other criminal prosecutions are disclosed which goes against the conduct of the petitioner.

7. It is also submitted on behalf of the State respondents that in one of the criminal prosecutions National Investigation Agency (NIA) is making investigation and petitioner is prime accused therein.
8. It is settled proposition of law that power of Writ Court under Article 226 of the Constitution of India to quash a criminal prosecution needs to be exercised sparingly.
9. It is not a routine exercise whereby Court needs to be inclined upon passing order thereby quashing criminal prosecutions pending against accused person.
10. In this regard reliance is placed on the judgment of the Hon'ble Supreme Court, reported in **(2021) 19 SCC 401 (Neeharika Infrastructure Private Limited vs. State of Maharashtra and Others)**. Paragraph 33.16 runs *infra*:-

“33.16. The aforesaid parameters would be applicable and/or the aforesaid aspects are required to be considered by the High Court while passing an interim order in a quashing petition in exercise of powers under Section 482 CrPC and/or under Article 226 of the Constitution of India. However, an interim order of stay of investigation during the pendency of the quashing petition can be passed with circumspection. Such an interim order should not require to be passed routinely, casually and/or mechanically. Normally, when the investigation is in progress and the facts are hazy and the entire evidence/material is not before the

High Court, the High Court should restrain itself from passing the interim order of not to arrest or "no coercive steps to be adopted" and the accused should be relegated to apply for anticipatory bail under Section 438 CrPC before the competent court. The High Court shall not and as such is not justified in passing the order of not to arrest and/or "no coercive steps" either during the investigation or till the investigation is completed and/or till the final report/charge-sheet is filed under Section 173 CrPC, while dismissing/disposing of the quashing petition under Section 482 CrPC and/or under Article 226 of the Constitution of India."

11. Moreover, it is found that if criminal prosecution being Bhupatinagar Police Station Case No.202/2026 dated 14th May, 2026 is interdicted by this Court by entertaining this writ petition, other ten criminal prosecutions are pending against him as on date. Therefore, Court is not inclined to interfere with the present writ petition and same stands dismissed.
12. Communication dated 22nd June, 2026 of Officer-in-Charge, Bhupatinagar Police Station, Purba Medinipur filed on behalf of the State respondents today is taken on record.
13. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)