

05.

Ct.29

27.02.2026

Bd.

**CRR 2671 of 2025**

**Shubham Sarda**

**-vs-**

**The State of West Bengal**

Mr. Krishnan Agarwal  
Ms. Labony Roy ... for the petitioner

Ms. Sreyashee Biswas  
Ms. Trina Mitra ... for the State.

This is an application wherein petitioner has prayed for quashing of the proceeding in connection with English Bazar Police Station Case No. 310 of 2020 dated 13.04.2020 under sections 188/269/270/271/34 of the Indian Penal Code and Section 51(b) of the Disaster Management Act, 2005 presently pending before learned Chief Judicial Magistrate, Malda.

The allegation leveled against the petitioner is that the petitioner was found loitering on the road without any valid reason, during COVID pandemic.

Being aggrieved by the said proceeding learned counsel for the petitioner submits that he explained the exigencies which compelled him to go outside but he was arrested and thereafter he was released on bail. He further submits that from the materials collected during investigation it is clear that opposite party has made bald allegations which are devoid of any substance and even does not prima-facie constitute the offence either under sections 188/269/270/271/34 of the Indian Penal Code or under Section 51(b) of the Disaster Management Act, 2005.

I have gone through the materials collected during investigation and it appears to me that if uncontroverted allegations in the complaint and the evidence collected in support of the same are accepted in its entirety it hardly can lead to petitioner's conviction. Moreover, I need to mention that several cases related to the COVID-19 pandemic have been dismissed or quashed by different High Courts particularly those involving violation of Lockdown Protocols, which includes Punjab and Haryana High Court, Delhi High Court, as pendency of these cases clogging the judicial system, even though normalcy restored long back.

In such view of the matter, CRR 2671 of 2025 is allowed. The impugned proceeding being English Bazar Police Station Case No. 310 of 2020 dated 13.04.2020 presently pending before learned Chief Judicial Magistrate, Malda is hereby quashed.

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

**(Dr. Ajoy Kumar Mukherjee, J.)**