

16.2.2026

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**CRR 3101 of 2025**

**Sukanta Biswas**

**Vs.**

**The State of West Bengal & Anr.**

Mr. Anirban Dutta

Mr. Akash Ganguly

Mr. Daud Aman Mollah

...for the petitioner

Mr. Madhusudan Sur

Md. Ejaz Akhtar

...for the State

Private opposite party is not represented.

This is an application wherein the petitioner has prayed for quashing of the proceeding being G.R. case no. 4743 of 2021, presently pending before the learned Additional Chief Judicial Magistrate, Bongaon qua the petitioner, Sukanta Biswas.

Learned counsel for the petitioner submits that the petitioner is not FIR named and his name transpired only from the statement of the co-accused namely, Apratim Halder under Section 161 of the Code of Criminal Procedure. However, during investigation, no incriminating material collected against the present petitioner and no legal, admissible or substantive evidence on record suggest anything which can implicate the present petitioner with the alleged offence. He further submits that this court while granting anticipatory bail to the petitioner in CRM (A) 1204 of 2025, was also pleased to observe that no material evidence was collected during investigation against the present petitioner except the statement of the co-accused. Therefore, continuance of further

proceedings will be mere abuse of process of the court and accordingly, he prayed for quashing of the impugned proceeding.

Learned counsel for the State placed the case diary and submits that it is true that except the statement of the co-accused, nothing transpires regarding implication of the present petitioner with the alleged offence.

Having heard learned counsel for the petitioner and the State and also in view of the materials placed before me, I find that further continuance of the instant proceeding against the present petitioner will be mere abuse of the process of the court.

In such circumstances, CRR 3101 of 2025 is allowed. The impugned proceeding being G.R. case no. 4743 of 2021, presently pending before the learned Additional Chief Judicial Magistrate, Bongaon is hereby quashed qua the petitioner, **Sukanta Biswas**.

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

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