

30.06.2026
Serial no. 2 sl
[G.S.D]

CRR 2583 of 2026

In the matter of : Abhishek Banerjee

... Petitioner(s)

Mr. Sabyasachi Banerjee, Sr Adv.
Mr. Ayan Bhattacharjee, Sr Adv.
Mr. Rudradipta Nandy
Mr. Agnish Basu
Mr. Bikram Mitra
Mr. Vipul Vedant
Mr. Shounak MOnal
Mr. Gourav Bose

... for the Petitioner(s)

Mr. Rajdeep Mazumder, Id. AAG
Mr. Kallol Mondal, Id. PP
Mr. Moyukh Mukherjee

... for the State-respondent(s)

Mr. Amritam MOnal
Mr. Arindam Samanta
Mr. Rajdeep Majumder
Mr. Arindam Bit
Mr. Arka Mukherjee
Mr. Supratim Mukherjee

... for the Defacto – complainant(s)

The records of the case reflect that in WPA 11489 of 2026, there was a direction by a Co-ordinate Bench on 21st May, 2026 for not to take any coercive step against the present petitioner till 31st July, 2026.

In the said order, it has also been directed that if the petitioner do not cooperate with the investigation, in that event, the concerned State-respondent shall be at liberty to approach the court with an appropriate application.

The subject-matter of the present revisional application arose out of the same FIR where the investigation is in process. An application was forwarded by the Investigating Agency before the learned Magistrate in terms of Section 349 of BNSS.

Mr. Banerjee, learned Senior Advocate, appearing for the petitioner, contends that the manner in which the order was passed by the learned Magistrate suffers from inconsistencies in accordance with the provisions of Section 349 of the BNSS.

On the other hand, Mr. Mazumder, learned Additional Advocate General and Mr. Mondal, learned Public Prosecutor, submits that this is a ploy for not cooperating with the investigation.

Having considered that the main issue is regarding the maintainability of the FIR and continuation of the investigation and the subject matter of the criminal proceedings is pending before the Co-ordinate Bench in WPA 11489 of 2026, for the ends of justice, it would be fit and proper, that one and the same Court should take up the issue canvassed in the present revisional application.

Let the Revisional Application, being CRR 2583 of 2026, go out of the list and the matter be placed before the Hon'ble the Acting Chief Justice for appropriate assignment.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)

