

24.08.2026
Item No.15
Court No.37
CHC

In The High Court at Calcutta
Criminal Revisional Jurisdiction
Appellate Side

C.R.R. 3604 of 2026

In Re:- An application under Section 528 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 read with Sections 438/442 of
the Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of : Mahua Moitra

..... petitioner

Mr. Debasish Roy, Advocate
Mr. Arka Kumar Nag, Advocate
Mr. Soham De Dhara, Advocate
Mr. Suvam Das, Advocate
Mr. Akash Ghosh

....for the petitioner

Mr. Kallol Mondal, Ld. P.P.
Mr. Pawan Gupta, Advocate
Mr. Anamitra Banerjee, Advocate

....for the State

1. In this revisional petition, petitioner seeks quashing of
proceeding in connection with Complaint Case No. 309 of
2026 alleging commission of offences punishable under
Sections 79/196/299/351/353(2) of the Bharatiya Nyaya
Sanhita, 2023.

2. Learned advocate appearing for the petitioner submits that, petitioner was participating in court proceeding. An unfortunate incident occurred on June 12, 2026 in respect of which petitioner lodged complaint dated June 16, 2026 against the opposite party nos. 2, 3, 4, 5 and 6. However, police did not take step on such complaint.
3. Learned advocate appearing for the petitioner submits that, due to resolution of the Bar Association taken on July 18, 2026, petitioner was prevented from participating in the complaint case. He submits that, the complaint case is pending in a Court which is without jurisdiction.
4. State is represented.
5. Opposite parties are yet to be served.
6. It appears from the order dated August 19, 2026 that, Warrant of Arrest was issued as against the petitioner.
7. The issue with regard to the jurisdiction of the Court which directed issuance of Warrant of Arrest against the petitioner requires consideration.
8. All opposite parties are yet to be served.
9. In such circumstances, list the revisional application on **August 27, 2026.**
10. State will serve the opposite party nos.2 to 6 with a copy of this petition.

11. Till September 30, 2026 or until further orders, police will not execute Warrant of Arrest issued as against the petitioner on August 19, 2026.

(Debangsu Basak, J.)

(Aryak Dutt, J.)