

D.L. 22.  
29.09.2020  
S.D.

**W.P.A. 6684 of 2020**  
**With**  
**CAN 1 of 2020**  
**(Old CAN No. 5572 of 2020)**

**Avijit Ghosh**  
**Vs.**  
**The State of West Bengal & Ors.**  
**(Via Video Conference)**

Mr. Angshuman Chakraborty  
....for the petitioner.

Mr. Amitesh Banerjee, Sr.St. Counsel,  
Mr. S. Adak  
.....for the State.

**In re: CAN 1 of 2020**  
**(Old CAN No. 5572 of 2020)**

This is an application for urgent hearing of the writ petition and is disposed of by taking up the writ petition for consideration.

Petitioner complains of police inaction.

Learned Advocate appearing on behalf of the petitioner submits that, despite an order passed by the learned Magistrate directing the police to investigate the police are not investigating into the offence.

Learned Senior Standing Counsel appearing on behalf of the State submits on instructions that, the investigation is in progress. He submits that, the statements under Section 161 Cr.P.C. were recorded. The petitioner was issued a notice under Section 91 of the Cr.P.C. for production of certain documents. The petitioner is not cooperating with the investigation.

The allegation of non-cooperation by the petitioner is disputed on behalf of the petitioner.

Be that as it may, since the investigation is in progress, and since the police issued notice under Section 91 of the Cr.P.C., it is appropriate that the noticees should comply with such notices in accordance with law. It is open to the complainant to meet with the investigating officer and to cooperate with the investigation in accordance with law.

W.P.A. 6684 of 2020 is disposed of accordingly without any order as to costs.

**(Debangsu Basak, J.)**