

23-03-2021
Court No.2
Sh-10

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI
(Through Video Conference)**

W.P.A. 619 OF 2021

Sitaram Mohata

Vs.

The State of West Bengal & Ors.

Mr. Deborshi Dhar.

.. For the Petitioner

Mr. Subir Kumar Saha,

Ms. Bedashruti Bose.

..For the State.

Mr. Partha Sarathi Deb Barman,

Mr. Debasish Mukhopadhyay,

Mr. Anirban Banerjee,

Mr. Hillol Poddar.

Parties are represented through their learned advocates, the names of whom are shown above at the beginning of the order sheet.

The principal grievance of the writ petitioner is that there has been much delay caused to the police investigation in connection with Mathabangha Police Station Case No.111 of 2018 dated 17th April, 2018 under Sections 341,406,409,420,468,471,506 and 34 of the Indian Penal Code corresponding to G.R. Case No.141 of 2018 now pending before the Additional Chief Judicial Magistrate, Mathabangha. The writ petitioner is the defacto-complainant.

It is contended by the writ petitioner that the petitioner has suffered serious prejudice for the delay caused in the investigation and also submitting the outcome of the investigation.

Ms. Bedashruti Bose, representing the State respondents submits that police has already submitted charge-sheet in this case making out a prima facie case under Section 341, 506 and 34 of the Indian Penal Code. A report has also been submitted by the learned advocate representing the State for the purpose. Let the same be kept on record.

Mr. Hillol Saha Poddar, learned advocate for the private respondents submits that there lies nothing to adjudicate further by reason of the submission of the charge-sheet in this case.

The principal grievance being the delay caused in the investigation, the Court is of the view that there lies nothing to adjudicate further with the submission of the charge sheet.

With these observation and direction the instant writ petition is dismissed without any order as to costs.

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

(SUBHASIS DASGUPTA, J.)