

WPO/290/2021

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

BISWAJIT GOSWAMI

-Versus-

STATE OF WEST BENGAL AND ORS.

Appearance:

Mr. Tapas Dutta, Adv.
...for the petitioner.

Mr. Sirsanya Bandopadhyay, Adv.
Mr. Arka Nag, Adv.
...for the State.

BEFORE:

The Hon'ble JUSTICE RAJASEKHAR MANTHA

Date : 3rd August, 2021.

The Court : The writ petitioner is aggrieved by refusal of Garfa Police Station in returning documents seized in connection with an investigation.

It is submitted that the final report of the investigation has been filed before the Jurisdictional Magistrate indicating that there is a mistake of fact and that no offence is found. The writ petitioner has asked for the return of the documents seized.

This Court is of the view that the remedy of the writ petitioner lies, inter alia, under Section 457 of the Criminal Procedure Code. The petitioner may therefore, make suitable application before the ACJM, Alipore.

Upon the petitioner making such application, the ACJM, Alipore shall consider and dispose of the same, strictly in accordance with law, within a period of 15 days thereof.

The aforesaid order shall not prevent the Garfa Police Station from returning the documents to the petitioner, directly.

With the aforesaid direction, WPO/290/2021 is disposed of without any order as to costs.

(RAJASEKHAR MANTHA, J.)

A/s.