

14.02.2022.
Court No.13
Item No. 6
ap

**W.P.A. No. 237 of 2022
(Through Video Conference)**

**Suraj Pratap
Versus
The State of West Bengal & Ors.**

Mr. Soumyajit Das Mahapatra,
Mr. Shamik Chatterjee,
Mr. Aditya Bikram Mahata.

...For the petitioner.

Mr. Amitesh Banerjee, Id. Sr. Standing Counsel,
Mr. Tarak Karan.

..For the State.

The writ petitioner is aggrieved by the fact that investigation into FIR being Narendrapur Police Station Case No. 1450 of 2021 has not been completed.

It is also submitted that the Investigating Officer of the case has been lax and indulgent towards the accused. It is submitted that the principal accused has not been apprehended till now.

Counsel for the State submits that not only is the investigation complete but a charge-sheet has already been filed being C.S. No. 100 dated 31.01.2022 under Sections 341/326/307/379/34 of the Indian Penal Code. He further submits that recoveries of weapons have been made and there is a warrant of arrest issued on one of the accused persons.

It appears to this Court that the principal accused is still at large and the police ought to have taken steps for proclamation and attachment to

enforce the attendance of such accused in course of such investigation. Be that as it may, it is expected that immediate and urgent steps are taken in this regard.

Counsel for the petitioner submits that Sections 387 and 390 of the Indian Penal Code are not included in the charge-sheet.

The petitioner may make a suitable application before the concerned Additional Chief Judicial Magistrate under Section 173 of the Code of Criminal Procedure. It is further ordered that for this purpose, the petitioner shall be furnished with a copy of the charge-sheet by Additional Chief Judicial Magistrate, Baruipur within a period of one week from date.

With the aforesaid observations, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)