

26.04.2022.
Item No. 35.
Court No.13
ap

W.P.A. No. 5223 of 2022

**Khuku Bera
Versus
The State of West Bengal & Ors.**

Mr. Rajdeep Majumder,
Mr. Moyukh Mukherjee,
Ms. Aishwarya Bazaz.

...For the petitioner.

Mr. Anirban Ray, Id. G.P.
Mr. Raja Saha,
Mr. Nilotpal Chatterjee.

...For the State.

Mr. Debasish Ghosh,
Mr. Subhajit Roy.

...For the respondent nos.6 to 10.

Affidavit-of-service filed in Court today be taken
on record.

The writ petitioner is aggrieved that despite FIR
against the 33 persons, investigation into an offence,
inter alia, under Section 302 of the Indian Penal Code
has not been completed till date.

The writ petition has been filed on 23rd March,
2022.

Learned Government Pleader appearing for the
State submits that the charge-sheet in the matter has
already been filed on 11th February, 2022.

A copy of the charge-sheet may be made
available to the Counsel for the petitioner.

Counsel for the petitioner submits that there is
still serious doubts as to the bona fides of the
investigation since 33 persons have been named as

the accused and charge-sheet has only been filed against six persons.

This Court is of the view that the petitioner should explore avenues under Section 173 of the Code of Criminal Procedure.

The right of the petitioner to approach this Court, after exhausting the aforesaid remedy, always remains open.

In view of the above, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)