

14.11.2022
Court No.13
Item No.10
AP

WPA 5088 of 2018

**Abir Dutta
Vs.
The State of West Bengal & Ors.**

Mr. Sandipan Ganguly
Mr. Somopriyo Chowdhury
Mr. Ayush Jain
Mr. Matriprasad Das
Ms. Deepti Priya

... For the Petitioner.

Mr. Amitesh Banerjee
Ms. Ipsita Banerjee
Mr. Sirsanya Bandopadhyay

... For the State.

The short question that arises for consideration in this writ petition is as to whether in aid of preliminary enquiry, police can issue notice outside the scope of Sections 41A and 160 of the CrPC.

Counsel for the petitioner further submits that the repeated notices of the police were an attempt to intimidate a media house and its journalist.

Counsel for the State submits that no FIR has been registered in view of the stay passed by this Court.

This Court is of the view that with the passage of time investigation by the police is of no consequence now. No fruitful purpose would be served by any further investigation.

This Court is of the view that the issues raised by the petitioner have also therefore become academic.

Liberty is reserved to the petitioner to have the issues decide in accordance with law in any appropriate other proceeding.

With the aforesaid observations, the writ petition is disposed of.

There shall 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.)