

27.04.2022
Court No.13
Item No.56
AP

WPA 9572 of 2021

**Ashim Bhowmick and Ors.
Vs.
The State of West Bengal and Ors.**

(Through Video Conference)

Mr. Mohit Kumar Dey
Mrs. Swapna Paul
Ms. Monalisa Maity

... For the Petitioners.

Mr. Amitesh Banerjee, Senior Advocate
Mr. Tarak Karan

... For the State.

The petitioners seek further investigation into an offence that was investigated and has resulted in a charge sheet. Charge sheet was taken trial and the conviction was ordered on the basis of admission of guilt.

The conviction was upheld all the way up to the appellate stage before the learned Additional District and Sessions Judge on 5th September 2016. A revisional application filed thereafter under Section 482 of the Cr.P.C. have been dismissed.

The contention of the petitioners is that investigation was conducted and charge sheet was filed on the basis of an incorrect complaint. The actual complainant, being one Indrajit Debnath, has been ignored by the investigating officer. It is also submitted that the entire proceedings have been stage-managed to protect a minor in the name of

Rounak Jana who is actually responsible for driving the vehicle.

This Court notes that the entire criminal proceedings have been taken to a logical conclusion. The writ petitioners have never challenged the final charge sheet before the ACJM. The petitioners have not taken any steps thereafter until completion of the trial.

The prayer of the petitioners, therefore, cannot be entertained since the trial has been completed and the conviction order has been upheld by the Sessions Court.

In that view of the matter, no relief can be granted to the writ petitioners.

With the aforesaid observations, the writ petition is disposed of without any order.

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.)