

26.07.2022
Court No. 19
Item no.05
CP

W.P.A. No. 11519 of 2022

Sri Subrata De
Vs.
The State of West Bengal & ors.

Mr. Srijib Chakrobarty
Mr. Aditya Mondal
....for the petitioner.

Mr. Amitesh Banerjee
Ms. Ipsita Banerjee
....for the State.

The petitioner alleges that the authorities of Liluah Police Station and Jangipara Police Station visited the residential house of the petitioner, ransacked the same and also harassed the petitioner's father. Challenging such overt act of the police, the writ petition has been filed.

It is specifically contended that the police authorities did not inform the petitioner and his family members as to why they had come to the premises and had searched the same. It is further submitted that the inspection in the courts below, also did not reveal that any case had been started against the petitioner.

Mr. Banerjee, learned senior standing counsel, has filed a report in the form of an instruction prepared by the Officer-in-Charge, Liluah Police Station. The report is taken on record.

It appears that on August 7, 2019, an application was filed by one Ritesh Narula before the learned Chief Judicial Magistrate, Howrah under Section 156(3) of the Code of Civil Procedure. The same was sent to the police station by the said learned Magistrate. Accordingly, Liluah PS Case No. 198/19 dated August 7, 2019, under Sections 409, 420, 476, 477A and 120B of the Indian Penal Code, had been registered.

During investigation on March 30, 2022 and May 23, 2022, the investigating officer, one Archisman Mondal along with the force went to the house of the petitioner to serve a notice under Section 41A of the Cr.P.C. as he was the FIR named accused. The petitioner was not present. The notice was given to the petitioner's father and he was asked to inform the petitioner to appear before the investigating officer on a mentioned date. After completion of the investigation, a final report has been filed vide Liluah PS FR No. 232/22 dated May 31, 2022.

Under such circumstances, nothing remains to be decided in this writ petition, specially because the police authorities had visited the residence of the petitioner on account of an investigation which has ended and a final report had been filed, inter alia, on

the ground that there was lack of evidence against the petitioner.

The writ petition is disposed of.

There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)