

14.11.2022
Court No.13
Item No.4
AP

WPA 14276 of 2017

**Pankaj Kumar Sahoo
Vs.
The State of West Bengal & Ors.**

Mr. Kaushik Gupta
Mr. Debayan Sen

... For the Petitioner.

Mr. Sabir Ahmed

... For the State.

Mr. D.K. Adhikari
Mr. Subrata Adhikari

... For the Respondent Nos.9 and 10.

Learned counsel for the petitioner submits that the investigation into the FIR has been completed and charge sheet has been filed under offences triable only by the Magistrate.

It is also submitted that Section 302 ought to have been added as offence in the FIR.

The petitioner has already taken out application under Section 173(8) of the Code of Criminal Procedure, which is being considered by the Magistrate today.

Counsel for the State submits that the case is also pending for framing of charge before the Magistrate.

Parties may take appropriate steps as may be advised after the Magistrate takes a suitable decision.

The report of the CID, West Bengal is taken on record.

The prayer for transfer of investigation from CID, West Bengal to the CBI is reserved to the petitioner for being agitated in separate proceedings.

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.)