

29.11.2022.
Court No.13
Item No. 5
ap

W.P.A. No. 14864 of 2021

**Debdutta Misra
Versus
The State of West Bengal & Ors.**

Mr. Sovan Dasgupta,
Mrs. Swagata Sen,
Mr. Amitesh Das.

...For the petitioner.

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

...For the State.

On the complaint of the petitioner of forgery by the private respondent, Headmaster of Kanua Bhawanipur High School, District – Malda, Harishchandrapur Police Station has investigated and filed charge-sheet being C.S. No. 753 of 2017 dated 31st October, 2017.

The petitioner claims that investigation is improper and has challenged the same under Section 173(8) of the Code of Criminal Procedure. The Magistrate has rejected such challenge.

The petitioner has approached this Court in its revisional jurisdiction under Section 482 of the Code of Criminal Procedure, which is pending consideration.

In the above circumstances, this Court is of the view that the prayer for transfer of investigation to the Central Bureau of Investigation is not only pre-mature but not even substantiated in the facts and circumstances of the case.

The writ petitioner may pursue his remedy in the pending revisional application being C.R.R. no. 746 of 2022.

With the aforesaid observations, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)