

25.02.2022
Court No.13
Item No.37
sp

WPA 14922 of 2021

Piyas Roy

Vs.

The State of West Bengal & Ors.

(Through Video Conference)

Mr. Satrajit Sinha Roy,
Mr. Tapan Roy

... for the petitioner.

Mr. Samrat Sen,
Ms. Manali Ali

...for the State

The writ petitioner is aggrieved by an improper investigation, which resulted in a charge sheet being C.S. No. 220/21 dated 15.07.2021 under Sections 420/323/406/354/120B of the IPC.

It is submitted that the I.O., Baranagar Police Station has failed to implead the employees of the railways, who according to the petitioner were also involved in the offences against the accused persons.

Counsel for the State submits that a supplementary charge sheet being S.C.S. No. 04/22 dated 16.02.2022 under Sections 420/323/406/354/120B of the IPC, has also been filed by the I.O., Baranagar Police Station.

This Court is of the view that the petitioner's remedy is under Section 173 of the Cr. P.C. where grievances against the charge sheet may be raised before the Magistrate. If the petitioner makes such application within a period of one month from date, the Magistrate

may consider the same and dispose of in accordance with law as expeditiously as possible thereafter.

As a special case, the Investigating Officer of the Baranagar Police Station shall supply a copy of the supplementary charge sheet to the counsel for the petitioner.

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

There shall be no order as to costs.

The instructions of the Baranagar Police Station dated February 25, 2022 addressed to the Government Pleader may be kept with the record.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)