

31.01.2022
Item No. 16
Court No.13
Sm/aj

W.P.A. 21043 of 2021
(Through Video Conference)

Rabi Saha
-Vs-
The State of West Bengal & Ors.

Mr. Koustav Bagchi,
Mr. Debayan Ghosh.
...for the petitioner.

Mr. S.N. Mookherjee, Ld. Advocate General,
Mr. Anirban Ray, Ld. G.P.,
Mr. Raja Saha,
Mr. Biswabrata Basu Mallick.
....for the State.

The Officer-in-Charge, Burtolla Police Station filed a report in the form of instructions dated 26.01.2022 addressed to the learned State Advocate. The same is taken on record.

It appears from the said report that the statement under Section 164 of the Code of Civil Procedure has been recorded and the investigation has been completed and charge-sheet no. 02/2022 dated 18.01.2022 has been submitted before the learned Additional Chief Metropolitan Magistrate, Calcutta under Sections 341/323/114 of the Indian Penal Code.

It further appears therefrom that the writ petition was filed under Section 91 of the Code of Criminal Procedure to provide the particulars of the video that he was complaining of. The purpose of such video was to ascertain the URL from where the petitioner received the video. It is

also necessary for the purpose for ascertaining to whom the video has been circulated to.

Since the investigation is over, the remedy of the petitioner is to furnish the particulars and evidence, if necessary, before the learned Magistrate under Section 173 of the Code of Criminal Procedure.

For the aforesaid purpose, the Burtolla Police Station furnish copy of the aforesaid charge-sheet to the learned Advocate for the petitioner, upon being approached.

It is also submitted that another FIR against the petitioner by certain persons has also resulted in a charge-sheet.

With the aforesaid observations, W.P.A. 21043 of 2021 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.)