

06.12.2022
Court No.13
Item No.27
AP

WPA 21960 of 2022

**Sarbari Mukherjee
Vs.
The Union of India & Ors.**

Mr. Soumya Mazumdar
Mr. Habibur Rahaman

...For the petitioner.

Mr. Kumarjyoti Tewari

...For the Respondent No.1.

Mr. S. Sen, Additional Assistant Advocate General
Mr. A. Ray, Government Pleader
Mr. T.M. Siddiqui
Mr. Debasish Ghosh
Mr. Debraj Sahu

...For the State.

Mr. Amajit De
Mr. Arijit Majumdar

...For the CBI.

The CBI has filed a report dated 28th November 2022.

It is submitted that since the allegation is against the officials of the State Police, it is beyond their jurisdiction.

This Court does not agree with the views of the CBI, given the clear directions of the Hon'ble Supreme Court in **Subrata Chatteraj Vs. Union of India and Ors.** in Writ Petition (Civil) No.401 of 2013 by a judgement and order dated 9th May 2014, that the CBI investigation should encompass all angles of the Saradha scam.

There is substance in the statements made by the learned counsel for the State. The victim Debjani Mukherjee, who is in custody, has not mentioned any of the allegations contained in her mother's complaint dated 7th September 2022 before the learned Magistrate when she was produced.

In the above circumstances, this Court directs that in the event of any further complaint from the said Debjani Mukherjee of threat and intimidation or any of the other accused in the Saradha Scam, the CBI shall register FIR and investigate the same.

With the aforesaid directions, 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.)