

10-11-2022
ct no. 13
Sl.7
sp

WPA 22518 of 2019

Smt. Soma Nag

-Versus-

The State of West Bengal & Ors.

Mr. Jayanta Narayan Chatterjee,
Mr. Debashis Banerjee,
Mr. Suprem Naskar

....for the petitioner

Mr. Samrat Sen,
Mr. Amitava Mitra,
Mrs. Amrita Panja Moulick,
Mr. Saikat Chatterjee

...for the State

Mr. Tauhid Khan

...for the respondent nos.4 to 6

Affidavit of service filed in Court today is taken on record.

The petitioner is aggrieved by the non-inclusion of the respondent no.6, in a charge sheet, filed by the Chanditala Police Station being No. 449 of 2018 under Sections 498A/406/34 of the IPC.

The petitioner filed an application under Section 173(8) of the Cr. P.C. in respect of the charge sheet. Further investigation was ordered.

Supplementary charge sheet was filed by the Investigating Officer, once again excluding the 6th respondent for want of evidence. A second naraji petition was filed by the petitioner thereafter.

It is submitted by the learned counsel for the State and the private respondents that even the second supplementary charge sheet filed after the second naraji and further investigation, has excluded the 6th respondent.

It is submitted that the charges have been framed and the trial has commenced. The next date of hearing of the matter is fixed on January 24, 2023 before the learned Ld. Judicial Magistrate, 2nd Court, Serampore.

It is expected that the trial is completed expeditiously.

Needless to mention that in course of trial, if the Ld. Judicial Magistrate finds sufficient evidence against the 6th respondent herein, namely, Koushik Nag, he may exercise appropriate powers under the Cr. P.C. in this regard.

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

The instructions of the Officer-in-Charge, Chanditala Police Station, Hooghly, dated 07.04.2022, addressed to the learned Government Pleader, along with the annexures, may be kept with the record.

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.)