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28.02.2022  
d.p.

**Calcutta High Court  
In the Circuit Bench at Jalpaiguri  
Appellate Jurisdiction**

**W.P.A 140 of 2022  
(Via Video Conference)**

**Subhash Barman  
-versus  
State of West Bengal & Ors.**

**Mr. Sandip Mandal,  
Mr. Abhilash Mittal.  
...For the Petitioner.**

**Mr. Subir Kumar Saha,  
Ms. Bedashruti Bose.  
...For the State.**

None appears on behalf of the private respondents despite service.

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

The grievance of the petitioner is that even though the police has initiated a case in response to the complaint lodged by the petitioner, but the police is not investigating the said case in a proper manner.

Learned advocate representing the State respondents submits, upon instructions, that in response to the complaint lodged by the petitioner, the NJP Police Station lodged an FIR being no. 62 of 2022 dated 12<sup>th</sup> January, 2022 and the investigation is in progress.

It has further been submitted that there is a counter case filed by the private respondents and the same has been registered by the same Police Station being FIR no. 1335 of 2021 dated 21<sup>st</sup> December, 2021.

It appears from the submissions made on behalf of both the parties that there are case and counter case pending against both the petitioner as well as the private respondents. Two Civil Suits being T.S. No. 122 of 2021 and 126 of 2021 are pending in between the parties before the Learned Civil Judge, Junior Division, Jalpaiguri.

As it appears that there are several civil as well as criminal cases pending against the parties, accordingly, there is no requirement of the Writ Court to interfere in the matter, at this stage.

The police is directed to proceed with the cases in the right earnest and submit the report before the learned Court below.

Instruction given by the State respondents be retained with the record.

The writ petition stands disposed of.

Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

**(Amrita Sinha, J.)**