

31.10.2022

Sl no. 13
Ct no. 2
P.B

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

WPA 2104 of 2022

**Sushanta Roy
-VS-
The State of West Bengal & Ors.**

Mr. Nabankur Paul,

... for the petitioner

Mr. Subir Kumar Saha,
Mr. Momenur Rahaman

.... For the State

Affidavit of service filed in court today be kept with the record.

Heard learned advocates appearing for the parties.

This writ petition arises out of the initiation of alleged criminal proceeding under NDPS Act against the petitioner. Admittedly the investigation is in progress and petitioner alleges that he is not satisfied with the investigating agencies and wants investigation by some other investigating authority. I am not inclined to entertain this writ petition for the reasons, namely, that the writ court in exercise of Constitutional writ jurisdiction under Article 226 of the Constitution of India should not interfere with

the investigation of this nature and also on the ground it is not a case of the petitioner that the investigating authority has inherent lack of jurisdiction or their action is without jurisdiction.

In view of the observations made hereinabove, this writ petition being WPA 2104 of 2022 is dismissed. However, dismissal of this writ petition will not prevent the writ petitioner from availing any remedy if available under any statute in accordance with law.

(Md. Nizamuddin, J.)