

12.07.2022
RP/Ct. 2
sl no. 21

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
Constitutional Writ Jurisdiction**

**WPA 2346 of 2021
Sri Dipankar Dey vs. State of West Bengal & Ors.**

Mr. Sandip Mondal

.... For Petitioner

Mr. Subir Kumar Saha
Mr. Pretom Das

.... For State

This writ petition has been filed for a direction upon the police authority to investigate into the complaint of the petitioner.

Pursuant to the earlier order dated July 4, 2022 Mr. Das, learned advocate for the State led by Mr. Saha, learned advocate files the report which is kept on record.

After going through the said report this Court finds that on 8.12.2021 investigating officer arrested the accused and produced him on the same date before the Court of the learned Judicial Magistrate, 1st Class, Raipur with a prayer for seven days transit remand. The learned Magistrate after considering the prayer of the petitioner allowed the prayer for bail and directed him to appear before the Court of the Additional Chief Judicial Magistrate, Siliguri. It is further stated therein that during investigation the concerned investigating officer received an order sheet vide order dated December 12, 2021 wherefrom it appears that the accused surrendered

before the Court of the learned Additional Chief Judicial Magistrate, Siliguri and was released on bail. It further appears that charge sheet was submitted on January 31, 2022 vide Siliguri Police Station Charge Sheet no.137 of 2022 dated 31st January, 2022 under Section 406/420 of the Indian Penal Code against the accused, namely, Arvind Agarwal.

After going through the said report and also taking into consideration the fact that the charge sheet has already been submitted, no further order is required to be passed in this writ petition. However, the petitioner will be at liberty to take appropriate steps before the appropriate forum in accordance with law.

With the above direction, WPA 2346 of 2021 stands disposed of. There shall be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be delivered to the learned advocates for the parties, upon compliance of all usual formalities.

(Hiranmay Bhattacharyya, J.)