

17-04-2023
ct no. 13
Sl.63
pk

WPA 527 of 2023

Shyamal Pal
-Versus-

The State of West Bengal & Ors.

Mr. Priyanjit Kundu,
Mr. Snigdha Saha

....for the petitioner

Md. Galib,
Ms. Jyotsna Roy Mukherjee

...for the State

Mr. Uday Sankar Chattopadhyay,
Ms. Trisha Rakshit,
Ms. Rajashree Tah

...for the private respondents.

1. The writ petitioner is aggrieved that FIR No. 1193 of 2022 has been registered under bailable sections and not the appropriate sections.

2. Mr. Galib, learned advocate for the State has filed a report in the form of instructions issued by the Burdwan Police Station. It appears that investigation has been completed and the Charge Sheet No. 1188 of 2022 dated 30.10.2022 has been filed. It also appears from the report that on the complaint of the private respondents, FIR was registered and the Charge Sheet No. 1225 of 2022 dated 31.10.2022 has been filed by the Burdwan Police Station.

3. The remedy of the petitioner is therefore before the Magistrate under Section 173(8) of the Cr. P. C.

4. In view of the above, this Court finds there is no inaction on the part of the Police Station.

5. The writ petition is disposed of.

6. There shall be no order as to costs.

7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)