

05.06.2023.
Court No.13
Item No. 15
ap

W.P.A. No. 3764 of 2023
Sahdev Turi
Versus
The State of West Bengal & Ors.

Mr. Sayan Chattopadhyay,
Mr. Kaustav Sen,
Ms. Ayesha Iman.

...For the petitioner.

Sk. Md. Galib,
Mr. Kapil Guha.

...For the State.

1. The petitioner is aggrieved by the investigation into FIR No.376 of 2022 dated 30th July, 2022 under sections 279/304A of the Indian Penal Code. Charge-sheet has been submitted by the police on 30th October, 2022 being C.S. No. 458 of 2022 dated 30th October, 2022 under Sections 279/304A of the Indian Penal Code.

2. The petitioner is aggrieved that only the driver has been made an accused and the other persons, who are the Directors of the Company, have not been named as accused. The vehicle was moving on the opposite direction of the one way route, as a consequence of which, the petitioner's minor daughter died.

3. This Court is of the view that the petitioner must agitate his grievances against the charge-sheet before the concerned Magistrate under Section 173(8) of the Code of Criminal Procedure.

4. The report of Liluah Police Station filed in Court today be kept with the record.

5. Since no affidavits have been called for, the allegations made in the writ petition against the police shall not be deemed to be admitted.

6. With the aforesaid directions, the instant writ petition shall stand disposed of.

7. There will be no order as to costs.

8. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)