

18.01.2023.
Item No. 435.
Court No.13
ap

W.P.A. No. 6009 of 2021

**Malda Cold Storage Private Limited & Anr.
Versus
The State of West Bengal & Ors.**

Mr. Apurba Kumar Ghosh,
Mr. Rudranil Ghosh.

...For the petitioners.

Mr. Partha Sarathi Bhattacharya,
Mr. Agniswar Chowdhury.

...For the respondent nos.4 & 5.

Affidavits-of-service filed in Court today be taken
on record.

A business rivalry between the two partners has
resulted in criminal proceedings filed by each against
the other.

The first case is English Bazar Police Station
Case No. 1209 of 2020 dated 15th December, 2020 in
which investigation has been completed and charge-
sheet has been filed.

A further complaint resulted in F.I.R. No. 278 of
2021 dated 4th March, 2021 at the instance of the
respondents against the petitioners, which resulted in
English Bazar Police Station Charge-sheet No. 381 of
2022 dated 25th March, 2022.

The first complaint of the writ petitioners being
English Bazar Police Station Case No. 299 of 2021
dated 9th March, 2021 has resulted in English Bazar

Police Station FRT No. 750 of 2022 dated 8th May, 2022. What remains, however, is FIR No. 46 of 2021 dated 9th January, 2021.

There are also civil suits pending by and between the parties.

The same may continue in accordance with law.

This Court is anguished to note that the investigation into this particular FIR has not been completed till date although FIRs registered at the instance of the private respondents against the petitioners have been investigated.

It is, therefore, ordered that the investigation into the said FIR No.46 of 2021 dated 9th January, 2021 is completed mandatorily and positively within a period of 45 days from date.

A just and fair investigation shall be conducted and report in final form shall be submitted before the jurisdictional Magistrate.

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

There will be no order as to costs.

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

(Rajasekhar Mantha, J.)

