

23.03.2023.
Court No.13
Item No. 14
pk

W.P.A. No. 15510 of 2022

**Aryan Surelia @ Boni @ Arihant Surelia
Versus
The State of West Bengal & Ors.**

Mr. Samarjit Ghosal,
Mr. Sarban Bhattacharjee.
...For the petitioner.

Sk. Md. Galib,
Mrs. Jyotsna Roy Mukherjee
... For the State.

The respondent nos. 2 and 3 have filed a report on behalf of the Howrah Police Commissionerate. The respondent nos. 4 and 5 have filed a separate report on behalf of the Howrah Rural Police District.

The Howrah Police Commissionerate has informed that in respect of the FIRs against the petitioner and his family members, one final report being F R False No. 298 of 2019 dated 28.12.2019 arising out of FIR No. 262 of 2019 dated 15.10.2019 has been filed. In respect of Belur P. S. Case No. 37 of 2020, a final report of mistake of fact being FRME No. 84 of 2021 dated 31.05.2021 has been filed. In respect of Golabari P. S. Case No. 28 of 2021 dated 03.02.2021, the petitioner has been discharged and two other accused persons have been charge sheeted vide Golabari P. S. Charge Sheet No. 112 of 2021 dated 03.02.2021 under Sections 341/323/354/506/509/34 of the IPC. There are no

other cases pending against the petitioner before the Howrah Police Commissionerate.

In respect of the Howrah Rural Police District, Amta FIR No. 348 of 2019 dated 14.09.2019 has resulted in Charge Sheet No. 09 of 2020 dated 26.01.2020 under Sections 341/354/376(3)/506 of the IPC read with Section 4 of the POCSO Act. In respect of Uluberia P. S. Case No. 01 of 2020 dated 01.01.2020, Charge Sheet No. 292 of 2020 dated 06.11.2020 under Sections 376D/506 of the IPC has been filed.

In view of the above, this Court is of the view that the remedy of the petitioner is against the charge sheets-in-question under the provision of the Cr. P. C.

This Court is not inclined to interfere with or entertain the arguments of the petitioner under Article 226 of the Constitution of India.

The writ petition is disposed of.

The two reports of the Howrah Police Commissionerate and the Howrah Rural Police District are taken on record.

There will be no order as to costs.

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.)

