

31.01.2023.
Court No.13
Item No. 14
ap

W.P.A. No. 19080 of 2022

**Hira Bhattacharyya
Versus
The State of West Bengal & Ors.**

Mr. Sandip Ghosh,
Mr. Supratim Bhattacharjee.

...For the petitioner.

Mr. Sandip Ghosh, Counsel for the petitioner has filed an exception to the report of the CID, West Bengal. The same is taken on record.

The CID report, as recorded in the order dated 19th January, 2023 is itself based on the report of the police. The report of the CID, West Bengal and the police are treated as final report under Section 173 of the Code of Criminal Procedure.

The petitioner may challenge the same before the jurisdictional Magistrate.

It is recorded that attempt was made to serve a copy of the exception to the CID's report on the Office of the Government Pleader, High Court, Calcutta which has been refused.

A copy of such exception be handed over to the Officer of the CID, West Bengal, who is present in Court.

If the Magistrate is approached by the petitioner he shall decide the matter uninfluenced by any

observations made hereinabove and all the issues are kept open for being agitated before him.

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

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.)