

WPA 19656 of 2023

Subhash Ghosh @ Subash Ghosh

-vs-

State of West Bengal & ors.

Mr. Pabitra Biswas

....for the petitioner

Mr. Amajit De

Mr. A. Mitra

...for the respondent no.5

Mr. Suman Sengupta

Mr. Sambuddha Dutta

...for the State

Affidavit of service filed on behalf of the petitioner is taken on record.

Report filed on behalf of the State is also taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the father of the victim deceased. The wife of the victim and her paramour had murdered the victim deceased. A plan has hatched to make it look like a road accident. The case was never properly investigated by the police. A number of times, final reports were filed and the petitioner moved for further investigation. Even now the investigation is not going on properly. Let it would be handed over to the another agency.

Learned counsel for the State relies on a report, which is taken on record and submits as follows. Admittedly, on

number of occasions, a final report had to be submitted. By an order dated 03.03.2022 passed in CRR 1732 of 2019, this Court reversed the order of rejection of the petitioner's prayer under Section 173 (8) of the Code and directed further investigation. The same is being done. But, now the petitioner is not cooperating with the Investigating Agency. Despite notices given under Sections 91 and 160 of the Code of Criminal Procedure, the petitioner has not turned up.

It appears that by an earlier order, this Court directed further investigation of the case and the same is being conducted.

As such, there is no need to intervene with the matter right now.

Let the petitioner cooperate with the Investigating Agency in all possible ways. In addition to personally appearing and submitting documents, let the petitioner also send the documents by E-mail.

Let the Investigating Officer conduct the investigation expeditiously and in accordance with law.

With these observations, the writ petition is disposed of.

Urgent Photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)