

W.P.A. 19686 of 2023

Chittaranjan Das
Vs.
The State of West Bengal & Ors.

Mr. Asif Dewan
R. Abedin ... for the petitioner

Mr. Pantu Deb Roy
Mr. Subrata Guha Biswas ... for the State

Affidavit of service filed by 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. A theft of gold ornaments took place at the petitioner's house in the year 2014. Kandi P.S. Case No. 159 of 2014 dated 15.3.2014 was registered under Sections 380 and 411 of the Indian Penal Code. In 2015, the Investigating Officer seized a gold finger ring from the house of an accused who was the house keeper of the petitioner. A charge sheet was submitted against three accused persons. However, the other stolen articles could not be recovered. The petitioner prayed for further investigation which was allowed. Even after further investigation, no stolen articles could be recovered. The petitioner again prayed for further investigation. The prayer was allowed and an officer not below the rank of D.S.P. was asked to further investigate the matter. The same was done and a supplementary charge sheet was submitted on 17.4.2022. The petitioner is still aggrieved with the investigation and wants the C.I.D. to investigate the matter.

Learned counsel appearing on behalf of the State relies on the case diary and submits as follows. This matter has remained pending for long as the petitioner could not be satisfied with the investigation done by the agency. Three accused persons were earlier arrested. They obtained bail. However, the other stolen articles could not be recovered.

It appears that the learned Trial Court had directed further investigation thrice.

It may happen that all the stolen articles could not be recovered in a particular case.

It is not a case where the accused were not arrested or the matter was not pursued by the police.

Besides, this is clearly not a case which needs to be investigated either by the C.I.D. or the C.B.I.

Moreover, learned Court is *in seisin* of the matter.

In view of the above, this Court does not find any reason to intervene in the proceeding before the learned Trial Court.

Accordingly, the writ petition is dismissed without any order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon completion of requisite formalities.

(JAY SENGUPTA, J.)