

WPA 20795 of 2023

Mrs. Debjani Ghosh
Vs.
The State of West Bengal & Ors.

Mr. Tarique Quasimuddin
Ms. Syed Khafiz Zamar

... .. for the petitioner

Mr. Asish Kumar Sinha
Mr. Anirban Dutta

... .. for the State

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

Report filed on behalf of the State is also taken
on record. Copy of the same is handed over to the
learned counsel appearing for the petitioner.

Learned counsel appearing on behalf of the
petitioner submits as follows. The petitioner is the de
facto complainant in Lake Town P.S. Case No.228 of
2020 dated 28th December, 2020 under Sections
420/406/506/120B of the Indian Penal Code. After
completion of investigation, a charge-sheet was
submitted being no.263 of 2021 dated 29th November,
2021 under Sections 420/406/506/120B of the
Indian Penal Code. In the said charge-sheet the name
of the petitioner's aunt has been mistakenly inserted
as one who was not sent up as accused in the charge-
sheet for want of evidence. In spite of bringing this to
the notice of the Investigating Officer, the same was
not corrected. The petitioner is also aggrieved by the

discharge of the other accused not sent up in the charge-sheet as accused. There was no reason given for the same either.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. As it appears from the report, the Investigating Officer admits his mistake in putting the name of one Mitali Ghosh instead of Minati Ghosh who was the person named in the original FIR as an accused. The mistake is being corrected by filing a supplementary charge-sheet before the learned Trial Court. Leave has also been prayed for in this regard.

It appears that the prime grievance of the petitioner that the petitioner's aunt was mistakenly named in the charge-sheet as an accused not sent up has been redressed. An application has been filed in this regard before the Magistrate and a supplementary charge-sheet is being filed in this regard.

So far as the other grievance that the other co-accused were discharged without giving sufficient reason for the same, the petitioner shall be at liberty to take up the point by filing a protest petition before the learned Trial Court.

No further order need to be passed.

With these observations, the writ petition is disposed of.

Urgent certified website copy of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Jay Sengupta, J.)