

29.08.2023
Item No.07
RP/AN
Ct. No.1

WPA(P) 467 of 2023

**Sri Subendu Adhikari & Anr.
Vs.
The State of West Bengal & Ors.**

Mr. Rajdeep Majumder
Mr. Moyukh Mukherjee
Mr. Anish Kumar Mukherjee
Mr. Suryaneel Das
Mr. Kaustav Lal Mukherjee
Mr. Chiranjit Pal
... for Petitioner
Mr. Ashoke Kumar Chakraborti, Ld. ASG
Mr. Sukanta Chakraborti
Mr. Tirtha Pati Acharyya
... for UOI
Mr. S.N. Mukherjee, Ld. AG
Mr. A. Ray, Ld. GP
Mr. T. Chakraborty
... for State
Mr. Billwadwal Bhattacharyya, Ld. DSGI
Mr. Debasish Tendon
... for NIA

1. We have heard the learned advocates for the parties.
2. The petitioner has filed this writ petition concerning a blast, which occurred in an illegal cracker factory on 27th August, 2023 under the jurisdiction of Duttapukur Police Station. The petitioner has sought for various prayers including a direction for lodging a First Information Report under Explosive Substance Act, 1908.

3. The learned Deputy Solicitor General on instruction submitted that a team of National Investigation Agency has also visited the place of occurrence and the provisions of Explosive Substance Act, 1908 has not been included in the FIR.
4. In any event, an incident having been occurred a day before yesterday and the entire investigation has been taken over by the State police, the petitioner has to allow the investigation to be completed and thereafter, if any grievances are there, it will be well open to the petitioner to pursue the same in the manner known to law. Therefore, we are of the view that the petition is premature and accordingly the same stands **dismissed** leaving it open to the petitioner to approach the appropriate forum for necessary relief, if so, he is advised.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)