

27.04.2023
Court No.13
Item No.18
pk

WPA 26705 of 2022

**Sudhakar Sardar
Vs.
The State of West Bengal and Ors.**

Ms. Jhuma Sen,
Mr. Dhiraj Lakhotia

... For the Petitioner.

Mr. Amitesh Banerjee, Ld. Sr. Standing Counsel
Mr. Tarak Karan

... For the State.

1. The writ petitioner complains of investigation into FIR No. 373 of 2022 dated 24th September, 2022 under Sections 447/323/325/34 of the IPC.

2. The writ petitioner claims that provisions of the Schedule Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 should have been included since the petitioner belongs to the Schedule Caste category and most of the accused persons are not from the reserved category.

3. The learned counsel for the State appears and submits that investigation has been completed and Charge Sheet No. 437 of 2022 dated 19th November, 2022 has been filed.

4. The petitioner may approach the Magistrate before whom the Charge Sheet has been filed to seek remedies in accordance with law, inter alia, under Section 173(8) of the Cr. P. C.

5. The writ petition is disposed of.

6. There will be no order as to costs.

7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)