

WPA 27276 Of 2023

18.12.2023

Sl no. 18

Ct no. 2

P.M.

Vishal Kumar Arya.

- Vs -

Union of India & Anr.

Mr. Pranit Bag,
Mr. Rhiddhiman Mukherjee,
Mr. Rowsan Kr. Jha

... for the petitioner

Mr. Bhaskar Prosad Banerjee,
Mr. Tapan Bhanja

... for the respondent No. 2 to 5.

Mr. Prabir Kr. Bhowmik
Mr. Sujit Mitra

... for Union of India.

Heard learned advocates appearing for the parties.

By this writ petition petitioner has challenged the impugned summons and the search and seizure proceeding in question.

Considering the facts and circumstances of the case, this court is not inclined at this stage to interfere with the investigation arising out of the search and seizure and so far as the impugned summons is concerned dated 7th November, 2023, by which petitioner was asked for personal appearance on 17th November, 2023, it has no more force today and against that no cause of action survives.

Accordingly this writ petition being WPA 27276 of 2023 is dismissed.

However it is clarified that in future no coercive action shall be taken against the petitioner except by observing due process of law, since petitioner has expressed his desire to participate and cooperate in the proceeding.

In case of non-cooperation of the petitioner in the impugned proceeding respondent will be free to take coercive action against him.

(Md. Nizamuddin, J.)