

24.02.2023.
Item no. 2.
Court No. 13
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IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction
(Appellate Side)

W.P.A. No. 483 of 2023

Snehadip Bose
Versus
The State of West Bengal & Ors.

Mr. Sabyasachi Chatterjee,
Mr. Omar Faruk Gazi.

...For the petitioner.

Affidavit-of-service filed in Court today be taken
on record.

The petitioner claims in respect of FIR No. 181 of
2022 dated 4th August, 2022 was registered against
the private respondent by the Mateli Police Station,
investigation has been completed and charge-sheet
was filed.

It is submitted that the Death Certificate of the
petitioner's mother was not seized.

This Court is of the view that the remedy of the
petitioner is either against a charge-sheet or before the
learned Additional District & Sessions Judge,
Jalpaiguri in course of trial. The learned Additional
District & Sessions Judge, Jalpaiguri in any event has
the jurisdiction under Section 311 of the Code of

Criminal Procedure to summon any documents, if necessary, for trial.

In those circumstances, reserving liberty to the petitioner to take steps as above, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)