

ORDER SHEET
WPO/629/2021
IA NO:GA/1/2022
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

KASTURI MUKHERJEE (BANDAPADHYAY)
-VS-
THE STATE OF WEST BENGAL AND 8 ORS

BEFORE:
HON'BLE JUSTICE RAJASEKHAR MANTHA
DATE: 11TH APRIL 2023.

APPEARANCE:
Mr. S. Bhattacharya, Adv.; Mr. B.P. Banerjee, Adv.; Mr. P. Baidya, Adv.; Mr. D. Banerjee, Adv., ...for petitioner.
Ms. I. Seth, Adv., for the State.

THE COURT: The petitioner has filed a detailed notes of argument. Having heard the counsel for the parties, this Court prima facie is unable to find any serious omission on the part of the investigating authorities at this stage. However, since the petitioner has lost two sons and has raised many questions in connection with the investigation, it would be in the fitness of things to direct the investigation already conducted by the FSTP, Lalbazar, to be reviewed and reconsidered by the CID, West Bengal.

The petitioner shall forward copies of the writ petition, the affidavit-in-opposition, the affidavit-in-reply and the detailed notes and points filed in Court to the CID, West Bengal. The CID shall carefully consider the entire case diary and all evidence gathered by the FSTP, Lalbazar and come to an independent conclusion as regards the incident in question.

If the CID comes to any new findings and are of the view that other persons may be involved in the incident, they shall be at liberty to file an independent chargesheet. In such event, the chargesheet already filed by the FSTP, Lalbazar shall remain in abeyance.

With the above directions, the writ petition along with the connected application stands disposed of.

(RAJASEKHAR MANTHA, J)