

M/L 474
10.12.2024
Bpg.
ct.no.35

**W.P.A.3037 of 2024
With
CAN 1 of 2024**

**Saha Alam Khan also known as
Sahalam Khan
Versus
The State of West Bengal & Ors.**

Mr. Sankar Paul
Mr. Imtiaz Ahmad
Mr. Goutam Malik
Ms. Kumari Shipra Roy.
...for the petitioner.

Mr. Rajarshi Basu
Mr. Ananda Dulal Sarkar.
...for the State-respondents.

Mr. Debasish Das
Mr. Tarasankar Samanta.
...for the applicant in CAN 1 of 2024.

Affidavit of service and supplementary affidavit filed by the petitioner be kept with the record.

Petitioner is aggrieved for non-compliance of an order in a proceeding under Section 144(2) of the Code of Criminal Procedure.

A supplementary affidavit has been filed which reflects that Bagnan P.S. Case No.70 dated 08.02.2024 has been registered for investigation.

Be that as it may, it is not the duty of the High Court to ensure any order passed by the learned

Executive Magistrate to be implemented. If a court passes an order it is the duty of that court to ensure that its order is implemented.

In view of the FIR having been registered, police authorities will take the investigation to its logical conclusion.

Learned advocate appearing for the applicant in CAN 1 of 2024 submits that the outcome of the writ petition may have a bearing on the applicant. Accordingly, CAN 1 of 2024 is allowed.

Consequently, WPA 3037 of 2024 is disposed of.

There will be no order as to costs.

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

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)