

20.03.2024
Item No.31
Suman
Ct.34

CRR 1147 of 2024

Sk. Nurul Hassan
Vs.
The State of West Bengal and Anr.

Mr. Aditya Sen
..for the petitioner

The petitioner has challenged the proceedings of MDP AWPS P.S. Case No.115 of 2023 dated 19.11.2023 which was registered for investigation under Sections 498A/323/307/509/34 of the Indian Penal Code.

Learned advocate appearing for the petitioner submits that there has been delay in lodging the FIR. The facts are cryptic in nature and the petitioner has been falsely implicated. Till date the Investigating Agency, according to the learned advocate, has not interrogated or called for the present petitioner neither any notice has been served upon him under the relevant section of law. The issues canvassed by the learned advocate for the petitioner are vague.

At this stage, what I find is that the letter of complaint, prima facie, makes out an offence to be investigated whether after investigation charge sheet is

to be submitted before the jurisdictional Court is the domain of Investigating Authority.

Having regard to the issues so canvassed, I am not inclined to accept the prayers advanced.

The Investigating Authority would be at liberty to take the investigation to its logical conclusion.

With the aforesaid observations, CRR 1147 of 2024 is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Tirthankar Ghosh, J.)