

24.05.2024
Court No.13
Item No.18
pk

**CPAN 698 of 2024
in
WPA 4543 of 2022**

**Sekh Sarabat Ali
Vs.
Ajya Kumar Valla, Ministry of Home Affaairs, North
Block and others**

Mr. Sandipan Das
... for the petitioner.

Mr. Aritra Ghosh
... for the State.

Mr. Susovan Sengupta,
Mr. Subir Pal
... for the alleged contemnors nos. 2 & 4.

Mr. Ashok Kumar Chakraborti, Ld. A.S.G.
Mr. Arun Kumar Maiti,
Mr. S. K. Ghosh,
Mr. B. P. Banerjee,
Mr. D. Sen,
Mr. D. Tandon
... for the NIA.

1. Amta Police Station has filed a report indicating that they have handed over the relevant documents along with charge sheet to the NIA. The NIA shall take over the Charge Sheet being No. 344 of 2022 and its prosecution.
2. Let the charge sheet be transferred to the special NIA Court at the City Civil and Sessions Court at Calcutta. For the purpose of transfer as aforesaid, the NIA shall be deemed to have been ordered by the Ministry of Home Affairs under Section 6(3) of the NIA Act, 2008.

3. The NIA shall be entitled to file supplementary charge sheet if any further investigation is undertaken.
4. The learned Additional Solicitor General submits that the accused are not available or accessible to them. They are all on bail.
5. The Amta Police shall render all assistance to the NIA in accessing the accused for any purpose including further investigation. In the event, the accused are still not traceable and do not cooperate, the NIA shall be at liberty before the NIA Court to seek cancellation of the bail of the accused persons.
6. The NIA is, therefore, directed to continue investigation as well as prosecution of the charge sheet before the NIA Court.
7. With the aforesaid observations, the contempt application is disposed of.
8. The report of the Amta Police Station in the form of instructions addressed to State advocate is kept with the record.
9. There will be no order as to costs.

(Rajasekhar Mantha, J.)