

02.12.2024
Item No.46
Ct. No.35
dc.

W.P.A. 16612 of 2024

**Raja Bhattacharya
versus
The State of West Bengal & Ors.**

Mr. Pawan Kumar Gupta,
Ms. Sofia Nesar,
Mr. Santanu Sett,
Mr. Kaustav Das ... For the Petitioner.

Mr. Biswabrata Basu Mallick, AGP,
Mr. Tamal Taru Panda ... For the State.

Report submitted by the learned advocate appearing for the State be also kept with the record. A copy of the report be handed over to the learned advocate appearing for the petitioner.

The petitioner is aggrieved by the progress of Bagdah Police Station Case No. 491 dated 28.05.2024 wherein he was cheated for providing job to a foreign country. The petitioner complains that on the same date i.e. on 28.05.2024, mother of the accused lodged a complaint wherein Bagdah Police Station Case No. 494 dated 28.05.2024 was registered for investigation under Sections 341/323/506/34 of the Indian Penal Code.

State has submitted a report which reflects that Bagdah PS charge-sheet No. 507/2024 dated 31.07.2024 has been submitted in connection with the said case.

The petitioner complains that the same investigating officer has investigated both the cases. Be that as it may, if the charge-sheet which has

been submitted in connection with Bagdah Police Station Case No. 494 dated 28.05.2024 is on the grounds of malafide, the petitioner would invoke the jurisdiction of the appropriate court.

So far as the investigation of Bagdah Police Station Case No. 491 dated 28.05.2024 is concerned, report, *prima facie*, reflects that efforts have been put in by the investigating officer of the case. In spite of the same, I direct that a superior officer of the police in the rank of Additional SP SDPO/DSP will monitor the investigation of the case till the present investigating officer comes to a conclusion regarding the outcome of the investigation.

With the aforesaid observations, the writ petition being WPA 16612 of 2024 is disposed of.

There shall be no order as to costs.

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

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

(Tirthankar Ghosh, J.)