

D/L 84
24.09.2024
Kausik
ct.no.35

W.P.A.19246 of 2024

**Towfique Ahmed Khan
Versus
State of West Bengal and others**

Mr. Soumajit Chatterjee

...for the petitioner.

Mr. Somnath Ganguli, AGP

Mr. Balarko Sen

...for the State.

Petitioner is aggrieved by non seizure of the basic documents relating to the investigation. Some of the documents are with the appropriate authorities which requires to be collected in course of investigation by adhering to relevant provisions of law. A report has been submitted by the learned advocate appearing for the State. However the said report is restricted to the issues relating to bail.

So far as the merits of the case is concerned I direct the petitioner who is the defacto complainant to handover the list of documents which he intends or is of the opinion is the subject matter and would guide the investigating officer to reach the logical conclusion in respect of the allegations made in the

FIR. The Investigating Officer would exercise his discretion regarding collection of such documents and the necessity of the same for the purposes of investigation. The petitioner is directed to handover by communicating with the investigating officer, the list of the documents in the mode and manner as has been observed above preferably within a fortnight from the date to the Investigating Officer of the case.

Report so submitted by the State be kept with the record.

A copy of the report be handed over to the learned advocate appearing for the petitioner.

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

With the aforesaid observations WPA 19246 of 2024 is disposed of. Pending applications if any are disposed of.

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

(Tirthankar Ghosh, J.)