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30.09.2024
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 22480 of 2024

Tarun Kumar Bhunia @
Tarun Bhunia
Vs.
State of West Bengal & Ors.

Mr. Dhruv Surana,
Ms. Ravina Sharma
...for the petitioner

Mr. Suman Sengupta,
Ms. Amrita Panja Moulick
...for the State

Mr. Navanil De,
Ms. Monami Mukherjee
...for the respondent nos. 6 and 7

Affidavit of service filed today is taken on
record.

The petitioner alleges that the police authorities have not taken any effective steps, excepting registration of First Information Report pursuant to the complaint made by the petitioner by letter dated February 07, 2024. The learned Advocate for the petitioner draws the attention of the Court to an order passed by the Hon'ble Division Bench of this Court in CRM(A) 278 of 2024, thereby granting anticipatory bail to the petitioner nos. 1 and 4 therein, who are private respondent nos. 6 and 7 in this writ petition.

The learned Advocate for the petitioner submits that the application for cancellation of the anticipatory bail was filed since the aforesaid private respondents violated the conditions stipulated in the order dated January 31, 2024 passed in the aforesaid application for anticipatory bail.

The learned Advocate appearing for the private respondents submits that the application for cancellation of the anticipatory bail was rejected by the Hon'ble Division Bench by an order dated April 23, 2024.

The learned Advocate appearing for the petitioner submits that the petitioner preferred a Special Leave to Appeal before the Hon'ble Supreme Court, being Special Leave to Appeal (Crl.) No. 10057/2024 and the Hon'ble Supreme Court by an order dated August 05, 2024 allowed the prayer of the petitioner herein seeking permission to withdraw the Special Leave Petition to move the High Court appropriately.

The learned Advocate for the petitioner submits that appropriate application in that regard has been taken out and the said application is pending before the Hon'ble Division Bench.

The learned Advocate appearing for the State files a report of the Inspector of Police, Patashpur Police Station dated September 12, 2024, which is

taken on record. It appears from the said report that after completion of investigation in connection with the aforesaid complaint, the charge sheet, being Patashpur Police Station Charge Sheet No. 437/20214 dated 08/09/2024 under Sections 341/506/34 of the Indian Penal Code has been submitted against the private respondent nos. 6, 7 and 8.

Since the Charge Sheet has been filed, the petitioner is left free to approach the concerned jurisdictional Magistrate in case the petitioner is aggrieved.

With the above observations and directions, this writ petition stands disposed of.

There shall, however, be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be made available to the parties upon compliance of necessary formalities.

(Hiranmay Bhattacharyya, J.)