

D/L76  
26.11.2024  
Bpg.  
ct.no.35

**W.P.A.24652 of 2024**

**Dipak Samanta  
Versus  
The State of West Bengal & Ors.**

Mr. Lakshminath Bhattacharyya  
Mr. Rajib Kumar Acharyya  
Mr. Banshi Badan Maity  
Mr. Goutam Malik.  
...for the petitioner.

Mr. Wasim Ahmed  
Mr. Haroon-al-Rasheed.  
...for the State-respondents.

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

Petitioner is aggrieved by the mode and manner in which the investigation has been carried out in connection with Panskura Police Station Case No.566 of 2022 dated 18.08.2022. Learned advocate for the petitioner is also aggrieved by the manner in which the petitioner and others have been cheated in relation to installation of tower and the money which has been collected from the different individuals.

Learned advocate for the State has submitted a report. Let the same be kept with the record.

Report reflects that on conclusion of investigation, police authorities on or about 25<sup>th</sup> January, 2023 has submitted report under Section

173 of the Code of Criminal Procedure before the jurisdictional court.

Petitioner expresses his dissatisfaction regarding the mode and manner of investigation. Accordingly, he intends to advance prayer by bringing in fresh materials which are in his custody which have not been collected by the investigating agency and/or statement of the relevant witnesses which have been omitted by the investigating officer.

In view of the aforesaid, if the petitioner prefers an application under Section 173(8) Cr.P.C. before the learned jurisdictional Magistrate, learned Magistrate after issuing notice to the State would consider the prayer of the petitioner in accordance with law.

With the aforesaid observations, WPA 24652 of 2024 is disposed of.

There will be no order as to costs.

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

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

***(Tirthankar Ghosh, J.)***