

Sl.No.

51 11.11.2024

Court

No. 35

G.S.Das

WPA 26364 of 2024

Md. Sharif Ghoshi @ Bablu Ghoshi

-Vs-

The State of West Bengal & Ors.

Mr. Tarique Quasimuddin

Ms. Zainab Tahur

... for the petitioner

Mr. Amitesh Banerjee, Id. Sr. St. Counsel

Mr. Rudrajit Sarkar

Mr. Debangshu Dinda

... for the State-respondent

The petitioner is aggrieved by the fact that charge-sheet which was submitted by the police authorities in respect of Chitpur Police Station Case No. 57 of 2022 dt. 2nd March, 2022 was in respect of Sections 419/420/506 of the IPC.

The petitioner alleges that the aspect of forgery was not taken into consideration.

Having considered that the petitioner was aggrieved by the fact that

the police authorities did not take into account within its ambit the issue relating to forgery, the petitioner has suffered for the same.

In view of the contentions advanced by the petitioner and taking into account the provisions of Sections 173(8) of the cr.p.c. as well as the present Section 193(9) of the BNSS, I grant liberty to the petitioner to approach the jurisdictional Magistrate *in seisin* of the matter with an application for further investigation.

The learned Court will assess regarding the documents in the custody of the petitioner and the observations which have been made above and, thereafter, proceed in accordance with law.

With the aforesaid observations, WPA 26364 of 2024 is disposed of.

Affidavit of service so filed be kept with the record.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)