

D/L13
14.11.2024
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ct.no.35

W.P.A.26545 of 2024

**Soma Kar
Versus
The State of West Bengal & Ors.**

Mr. Debasis Kar
Mr. Arka Tilak Bhadra
Mr. Jagori Mitra.
...for the petitioner.

Mr. Vimal Kumar Shahi
Ms. Pratiti Das.
...for the State-respondents.

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

Petitioner approached this Court at a stage when the investigation was under progress and the grievance of the petitioner was that regarding the police authorities not having taken appropriate steps for progressing with the investigation of Regent Park P.S. Case No.187 dated 17.08.2024.

Learned advocate for the petitioner submits that the police authorities have completed the investigation and submitted charge-sheet before the jurisdictional court under Sections 329(4)/115(2)/76/54 BNS.

As there has been change of circumstances, petitioner is directed to file an application under

Section 193(9) of the BNSS. The said application would be a composite application stating the grievance and the steps which have not been taken by the investigation authority for which the petitioner apprehends that there may be a possibility of the charges being diluted or the evidence being not proper. In case such application is filed, learned jurisdictional Magistrate in seisin of the matter would dispose of such application within a period of 45 days of filing of the same.

With the aforesaid observations, WPA 26545 of 2024 is disposed of.

There will be no order as to costs.

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

Report submitted by the learned advocate for the State be kept with the record.

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.)