

05.12.2024

BP/AGM  
Ml. 253  
Court No. 35

**WPA 26912 of 2024**

**Sri Krishnendu Bag  
Vs.  
The State of West Bengal and Ors.**

Mr. Satyendra Agarwal.  
... For the petitioner.

Mr. Asish Kumar Guha.  
... For the State.

Petitioner complains that he instituted the case being Panchla PS Case No. 338 of 2024 dated 18<sup>th</sup> October, 2024. The said case was registered under Section 316(2) /351(2) BNS.

The grievance of the petitioner is that the investigating officer failed to take effective steps and there has been no recovery in respect of the accusations made in the complaint.

Learned advocate for the State has submitted a report and further submitted that on completion of investigation, charge sheet has been submitted before the jurisdictional Court.

As the petitioner is aggrieved by the mode and manner of the investigation as well as the outcome, the petitioner will approach the jurisdictional magistrate under Section 193 (9) of BNSS. The learned magistrate will take into account the specific accusations particularly with regard to the recovery and thereafter decide whether a case of further investigation has been made out.

In case an application under Section 193(9) of BNSS is filed by the petitioner, the same be disposed of within a period of 45 days of filing of the same.

Report submitted by the Officer-in-charge, Panchla Police Station is kept with the records.

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

With the above observations, WPA 26912 of 2024 is disposed of.

There shall be no order as to costs.

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

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

**(Tirthankar Ghosh, J. )**

