

D/L20
25.11.2024
Bpg.
ct.no.35

W.P.A.27825 of 2024

**Dr. Aftab Molla @ Aftabuddin Molla
Versus
The State of West Bengal & Ors.**

Mr. Arka Ranajan Bhattacharya
Mr. Md. Nazimuddin Siddique
Ms. Gulsanwara Pervin
Ms. Saloni Bhattacharjee.
...for the petitioner.

Mr. Suman Ghosh
Mr. Sankha Prasad Roy.
...for the State-respondents.

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

Petitioner is aggrieved by the act and action of the police authorities in serving notice under Section 35(3) of the BNSS repeatedly.

Learned advocate for the State has submitted a report. Report reflects that Shyampur Police Station Case No.404 of 2024 dated 13.10.2024 has been registered under the relevant provisions of BNS, MPO Act, PDPP Act and I.E. Act. According to the State, petitioner's name surfaced in course of investigation.

In view of the nature of the offence complained of, I direct the learned advocate for the State to hand over a copy of the formal FIR to the learned advocate appearing for the petitioner,

petitioner would explore other remedies available under the law. At this stage of investigation interference by way of stalling the investigation or entertaining the prayer for quashing may jeopardize the whole of the investigation process. Petitioner is granted liberty to approach this Court after the report in final form is submitted before the jurisdictional court and service in respect of the copies relied upon by the prosecution is served upon him provided the police authorities deem it fit and proper to name the petitioner in the charge-sheet or in the report in final form.

With the aforesaid observations, WPA 27825 of 2024 is disposed of.

There will be no order as to costs.

Report submitted by the learned advocate appearing 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.)