

D/L 6
13.12.2024
Kausik
ct.no.35

W.P.A. 28993 of 2024

**Sk. Waliullah & Anr.
Versus
State of West Bengal & Ors.**

Mr. Sabyasachi Chatterjee
Mr. Ankan Das
Ms. Monalisha Sinha

...for the petitioners.

Mr. Suman Ghosh
Mr. Sankha Prasad Roy

...for the state.

Petitioner has challenged the continuance of Golabari Police Station Case No. 277/24 dated 02.09.2024.

I have considered the letter of complaint which is the foundation of the FIR and prima facie, I find there are accusations of injuries and grievous injuries having been committed therein.

The investigation of the case has already been completed as is submitted in the report furnished by the state.

Having considered the same, I grant liberty to the petitioner to canvass all the issues regarding the merits of the proceedings associated with Golabari PS Case No. 277/24 dated 02.09.2024 at the stage of consideration of charges.

Petitioner also submits that there was an illegality in the arrest as in the first forwarding report it was stated that the police authorities kept the accused in safe custody and thereafter later on arrested the petitioner.

So far as such contention is concerned, petitioner is granted liberty to take out a fresh application under Article 226 of the Constitution relating to the legality or illegality of the arrest is concerned.

With the aforesaid observations WPA 28993 of 2024 is disposed of.

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

(Tirthankar Ghosh, J.)