

D/L 20
11.12.2024
Kausik
ct.no.35

W.P.A. 27999 of 2023

**Jagadish Mondal
Versus
State of West Bengal & Ors.**

Mr. Mrinal Kanti Ghosh
Mr. Kartik Chandra Kapas
Mr. Chandra Nath Sarkar

...for the petitioner.

Mr. Ansar Mondal, AGP
Mr. Asish Dutta

...for the state.

Report submitted by the Inspector-in-Charge, Narayanpur Police Station reflects that Narayanpur PS Case No. 202/2023 dated 13.01.2023 was registered for investigation. Subsequently it has been stated that as "Mistake of Fact" Narayanpur PS Final Report No. 50/2024 dated 30.04.2024 has been submitted before the jurisdictional court.

Presently there is no case. However, petitioner being the defacto complainant who has set the criminal law into motion would get an opportunity before the learned jurisdictional court to file his application under section 173(8) of the Code of Criminal Procedure. If such an application is filed, the learned Magistrate would dispose of the same within a period of 45 days.

Petitioner is directed to handover, in case the investigation commences, all the documents which are in his custody. Otherwise no investigation can ever progress.

With the aforesaid observations WPA 27999 of 2023 is disposed of.

Report so submitted be kept with the record.

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

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

(Tirthankar Ghosh, J.)