

CPAN 1706 of 2023
in
WPA 14230 of 2023

Asok Debnath & anr.

-vs-

Swapan Kumar Chabri & anr.

Mr. Swarup Banerjee
Mr. Arindom Chatterjee
Mr. Subham Biswas

...for the petitioners

Learned counsel appearing on behalf of the applicants submits as follows. By an order dated 12.09.2023 passed by this Court in WPA 14230 of 2023, the Investigating Officer of the case was directed to conclude the investigation expeditiously and in accordance with law. The same has not been done yet. In fact, no positive steps have been taken by the Officer except for serving a notice under Section 91 of the Code. This is a deliberate and contumacious violation of this Court's order.

From a careful perusal of the order dated 12.09.2023, it does not appear that any outer limit was set for conclusion of the investigation.

Admittedly, the Investigating Officer had issued a notice under Section 91 of the Code in the meantime.

Therefore, I do not find any deliberate violation of the order passed by this Court for which an action can be taken for contempt of Court.

Accordingly, the application for contempt is dismissed.

However, the petitioner shall be at liberty to take up the issue of improper investigation before the appropriate forum at an appropriate stage.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)