

30.04.2024
SL No.115
Court No.1
(gc)

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

**FMA 2 of 2022
CAN 1 of 2021**

**The State of West Bengal & Anr.
Vs.
Jyostna Roy**

Mr. Joyjit Choudhury, Ld. AAG,
Mr. Subir Kumar Saha
...for the Appellants/State.

Mr. Arjun Chowdhury,
...for the Writ petitioner/Respondent.

Mr. Sudipto Kumar Mazumdar, Ld. DSGI
Mr. Ajoy Kumar Singhanian
...for the Respondent No.8/CBI.

1. Mr. Sudipto Kumar Mazumdar, learned DSGI has filed the final report wherefrom it appears that no evidence is available on record to implicate anybody in this case.
2. Mr. Joyjit Choudhury, learned Additional Advocate General has submitted that the outcome of the investigation by the State agency is also that the death is accidental.
3. In view of the aforesaid, we dispose of the appeal by taking on record the final report filed by the CBI.
4. However, a copy of the final report shall be served upon Mr. Arjun Chowdhury, learned

Counsel representing the writ petitioner/
opposite party.

5. The filing of the final report by the CBI and also by the State earlier shall not prevent the writ petitioner to take appropriate steps in accordance with law with regard to the veracity of the said report before the learned Trial Judge having jurisdiction.
6. Accordingly, the appeal and the connected application are disposed of.
7. However, there shall be no order as to costs.
8. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all formalities.

(Soumen Sen, J.)

(Partha Sarathi Sen, J.)