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24.07.2024
Ct. No.02
NB

HIGH COURT AT CALCUTTA
In The Circuit Bench At Jalpaiguri
Appellate Jurisdiction

WPA 1320 of 2024
CAN 1 of 2024

Abhishek Das
Vs.
The State of West Bengal & Ors.

Mr. Bikramaditya Ghosh,
Mr. Deborshi Dhar.
...for the petitioner.

Mr. Joyjit Choudhury Id.AAG.,
Mr. Subir Kumar Saha Id.AGP.,
Mr. Bedashruti Bose,
Mr. Sumit Sarkar.
...for the State.

Mr. Nabankur Paul,
Ms. Sutapa Sen Paul.
...for the applicant.

Report filed on behalf of the State in a sealed cover is taken on record. Perused the same and after perusing the same, it is again kept in a sealed cover.

Learned counsel appearing on behalf of the petitioner submits as follows. The prime grievance of the petitioner is that the records of the hospital which would have an important bearing on the alleged offences were not kept protected by the Investigating Agency. Now, such records have been seized. So the petitioner did not want to pray for any further order, at least, at this stage.

Learned Additional Advocate General relies on the report and submits that several steps were taken by the

Investigating Agency during the course of investigation. Relevant records were seized and statements were recorded.

Learned counsel appearing on behalf of the applicant seeks addition of his client as a party respondent. His statement has been recorded under Section 164 of the Code. According to the applicant, certain other documents remained to be seized where from the applicant or from others.

In the event the applicant is aggrieved with any steps taken by the respondent authorities, he shall be at liberty to file an appropriate application. However, as of now, since he is neither an accused nor the de facto complainant in this case. I find no reason to allow the application for addition of party.

Therefore, the application for addition of party is dismissed. However, there shall be no order as to costs.

As the prime grievance of the petitioner has already been redressed by the Investigating Agency by seizing bulk of the relevant records, no further order need be passed in this regard.

However, the Investigating Agency shall conclude the investigation at the earliest and in accordance with law. If necessary, further documents would be seized and statements taken.

With these observations, the writ petition and the application being CAN 1 of 2024 are disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)