

24.01.2025
Item Nos. 99
AN/Ct. No. 35

WPA 627 of 2025

Rahul Biswas
vs.
State of West Bengal & ors.

Mr. Atin Kumar Biswas
Mr. Amit Singh

... for the petitioner

Mr. Somnath Ganguli, Id. AGP
Mr. Sk. Md. Masood

... for the State

Petitioner is aggrieved by the mode, manner and progress of the investigation of Malda Police Station case No. 309 of 2024 dated 21.05.2024 which was registered for investigation under Section 302 of the Indian Penal Code.

In the writ petition itself, the petitioner has made several accusations regarding deficiencies of the investigation. However, the State has submitted a report which reflects that the Investigating Officer has been pursuing the investigation. The report reflects that the State has taken steps with regard to the statements which have been recorded and the materials which have been collected. An Investigating Officer cannot be directed to do or not to do in a particular manner or mode so far as the process of investigation is concerned. However, the materials so collected prima facie seem to be satisfactory at this stage. Further, the Investigating Officer is waiting for some reports to be received for arriving at his final opinion.

Learned counsel appearing for the petitioner submits that there are some documents in his custody which he wants to rely upon. If such documents are forwarded by the petitioner or any relation of the deceased, in that case, the Investigating Officer would consider the same whether it is required as part and parcel of the materials to be relied upon in course of the investigation or prosecution.

With the above observations, WPA 627 of 2025 is **disposed of**. The report so submitted be kept with the record.

Urgent photostat certified server copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Tirthankar Ghosh, J.)