

D/L 19
17.02.2025
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ct.no.35

W.P.A.2586 of 2025

**Umme Habiba
Versus
The State of West Bengal & Ors.**

Mr. Abhimanyu Banerjee
Mr. Arnab Saha
Mr. Santanu Sett
Ms. Priyanka Yadav.
...for the petitioner.

Mr. Suman Sengupta
Mr. Sambuddha Dutta
Mr. Sanatan Panja.
...for the State-respondents.

Learned advocate for the petitioner submits that the statements which have been shown to be recorded in connection with Kaliachak Police Station Case No. 834 of 2024 dated 11.06.2024 under the relevant provisions of the NDPS Act were not deposed before the Investigating Officer and to that effect, information have been sent to the Superior Officers of police authorities, according to the petitioner who happens to be wife of the accused. It has been further stated that the case has been manufactured and the petitioner's husband has been framed in connection with the instant case.

Learned advocate for the State has submitted a report. Let the report be kept with the record.

Without going into the report itself but having regard to the fact that already a statutory court is in seisin of the proceedings, it would be the duty of the petitioner first to bring it to the notice of the statutory court which is obliged under the statute to act in accordance with law. I do not find the contentions advanced before this Court was brought to the notice of the jurisdictional special court already in seisin of the case. Petitioner submits that he has already made such application. It would be the duty of the learned special court to deal with the same in accordance with law.

With the aforesaid observations, WPA 2586 of 2025 is disposed of.

There will be no order as to costs.

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

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)