

19.02.2025
Court No. 35
Item No.67
Rakib

W.P.A. 2987 of 2025
Binod Kumar Shaw.
VS
The State of West Bengal & Ors.

Mr. Mit Guha Roy.
... for the Petitioner.
Mr. Suman Sengupta, Sr. Govt. Adv.,
Ms. Amrita Panja Mallick,
Mr. Sanatan Panja.
... for the State.

Affidavit-of-service submitted by the petitioner be
kept with the record.

Petitioner is aggrieved by not only the inaction of
the police authorities but also the mode and manner in
which the investigation has been carried out in
connection with Ekbalpore Police Station Case no. 344
dated 10.09.2024.

It has been recorded that the respondent no.7 has
preferred an application for quashing of the proceedings,
however, the same is pending before the Hon'ble Court.

In the meantime police authorities have completed
their investigation and submitted a final report observing
the same to be Civil in nature.

Considering the report so furnished by the police
authorities before the learned Chief Judicial Magistrate,
Alipore on or about 31st January, 2025, I direct that if the
petitioner is so advised he would prefer an application
before the learned Magistrate under Section 173(8) of the

Cr.P.C. or under Section 193(9) of the BNSS. Learned Magistrate will apply his mind in respect of the contentions so advanced and pass necessary direction in accordance with law.

With the aforesaid observations WPA 2987 of 2025 is disposed of.

Report submitted by the State be kept with the record.

Copy of the report be handed over to the learned advocate appearing for the petitioner.

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

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

(Tirthankar Ghosh, J.)