

19.03.2025

Court No. 35

Item No.6

Rakib

W.P.A. 5211 of 2025

Subhendu Dutta.

VS

The State of West Bengal & Ors.

Mr. Bharat Chandra Simai,

Ms. Sanchayita Das.

... for the Petitioner.

Mr. Tarak Nath Sarkar,

Mr. Goutam Malik.

...for the respondent nos. 5,10&11.

Mr. Rajarshi Basu.

Mr. Anirban Datta.

... for the State.

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

Petitioner has prayed for quashing of the FIRs which have been registered against him at Daspur Police Station being FIR no. 278/2014, FIR no. 219/2022, FIR no. 96/2013, FIR no. 170/2014, FIR no. 294/2016, FIR no. 155/2022, FIR no. 233/2017, FIR no. 265/2019, FIR no. 387/2021, FIR no. 210/2018 and FIR no. 236/2017.

I have found that the cases were registered ranging from the year 2013 to 2022 and charge-sheets have been submitted in connection with all the cases so referred to by the petitioner.

As is reflected from the report submitted on behalf of the State, I am of the view that at this belated stage there no scope for interference, so far as the FIR is concerned when the charge-sheet has already been submitted before the Jurisdictional Court.

Petitioner would in the fitness of circumstances canvass all the issues in the cases according to the stage of the case concerned. Where charge has till date not been framed, petitioner would be at liberty to canvass the issue at the stage of consideration of charges, where trial has already commenced, petitioner would at the end of the trial canvass the issue during the final arguments of the case.

Learned Magistrate will consider the issues in the background of the facts and circumstances of the case and the nature of the offences complained of and arrive at its finding at the relevant stage referred to above.

With the aforesaid observations WPA 5211 of 2025 is disposed of.

Report so submitted by the State be kept with the record.

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.)