

Sl.No.
4 19.03.2025
Court
No. 35
G.S.Das

WPA 5181 of 2025

Mahavir Poddar & Anr.
-Vs-
The State of West Bengal & Ors.

Mr. Ankit Agarwala
Ms. Alotriya Mukherjee
... for the Petitioner(s)

Mr. Suman Ghosh
Mr. Arka Mondal
... for the State-respondent(s)

Mr. Sandipan Ganguli, Id. Sr. Adv.
Mr. Ayan Chakraborty
Mr. K. Dudhewala
Ms. Sohini Mukherjee
Mr. S. Saha
... for the respondent no. 4

Affidavit-of-service so filed be kept
with the record.

The petitioners are aggrieved by
the fact that although the police authorities
have shown in the seizure five copies of
front photo of envelope courier with
senders name as Anshuman Sharma and
Ajay Sharma, yet, the investigating agency
did not seize the originals from the
affected persons, although, some of them
have been cited as witnesses.

The petitioners' grievance are that there is every possibility of the prosecution's failing in case such documents are not produced in original at the time when the trial progresses.

It has also been contended on behalf of the petitioners that the petitioner no.1 has been cited as a witness but the petitioner no.2 has not been cited as a witness who has also received such letter.

Having considered the fact that charge-sheet has already been submitted before the jurisdictional court on or about 27th September, 2024 and the petitioners claiming to be the victims of circumstances, I am of the view that if the petitioners are so advised, they would prefer an application before the jurisdictional court *in seisin* of the matter. The learned Magistrate would assess regarding the merits of the same, thereafter, decide in accordance with law.

With the aforesaid observations, WPA
5181 of 2025 is disposed of.

Pending application(s), if any, is also
disposed of.

Report so submitted be kept with the
record.

Parties to act on a server copy of this
order duly collected from the official website of the
Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)