

D/L33
18.03.2025
Bpg.
ct.no.35

W.P.A.5230 of 2025

**Mr. Madhumay Chakraborty
Versus
The State of West Bengal & Ors.**

Ms. Rita Patra
Ms. P. Das.
...for the petitioner.

Mr. Pantu Deb Roy
Mr. Subrata Guha Biswas.
...for the State-respondents.

Mr. Phiroze Edulji
Mr. A. Saha.
...for the respondent no.4.

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

Petitioner is aggrieved by the investigation of
Baguiati P.S. Case No.393 of 2023 dated 09.07.2023.
According to the petitioner, on basis of contractual
obligations the case has been initiated so far as the
petitioner is concerned. Learned advocate submits
that the police is not investigating the case properly
and has arrested the petitioner.

State has submitted a report. Report reflects
that earlier the anticipatory bail of the petitioner was
rejected in CRM (A) 3084 of 2023 by a Division Bench
of this Court on or about 03.10.2023. Subsequently,
another application being CRR 3722 of 2023 was filed

by the petitioner and by an order dated 12.10.2023 the same also was not interfered with.

Record also reflects that the petitioner did not cooperate with the investigating agency. Number of documents have been enclosed by the petitioner to rebut the contentions in the FIR.

Having regard to the fact that truth or falsity and the veracity of the documents cannot be gone into by this Court at the nascent stage of the investigation, I am of the view that no interference can be made by this Court only on factual assertions.

Accordingly, WPA 5230 of 2025 is dismissed.

There will be no order as to costs.

Report so submitted be kept with the record.

Needless to state that since no affidavit has been called for, the allegations made in the writ petition are deemed not to have been admitted.

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.)