

27.03.2025
Item No.27
Ct. No.35
dc.

W.P.A. 8370 of 2024

**Suraj Sur
versus
The State of West Bengal & Ors.**

Mr. Bratin Kumar Dey,
Mr. Joydeep Das ... For the Petitioner.

Ms. Jhuma Chakraborty,
Ms. Silpi Sengupta ... For the State.

Mr. Prattay Kumar Khan,
Mr. Somdev Ash ... For the private Respondents.

Affidavit-of-service and supplementary
affidavit filed on behalf of the petitioner be kept
with the record.

A copy of the supplementary affidavit has
been handed over to learned advocate appearing for
the State.

Report submitted by the learned advocate
appearing for the State be also kept with the record.
A copy of the report be handed over to the learned
advocate appearing for the petitioner.

The petitioner is aggrieved by the fact that in
spite of a direction for further investigation being
passed by the learned Magistrate on 08.06.2022,
till date the investigating authority has been unable
to conclude the investigation.

State has submitted a report which reflects
that the investigation has been going on and there
is delay as the *de facto* complainant is staying
abroad and is not communicable.

Learned advocate for the petitioner submits that power of attorney holder is available.

In case the power of attorney holder is available, the petitioner would inform the same to the investigating officer of the case in respect of the materials which are required by the investigating officer who would conclude the investigation of the case. Since substantial time has passed in the meantime, the investigating officer will file his report under Section 173 of the Code of Criminal Procedure preferably within a period of three months from the date of communication of this order and in case there is a delay, permission be sought for from the learned Magistrate in seisin of Chandannagar Police Station Case No. 122 of 2015 dated 24.06.2015.

With the aforesaid observations, the writ petition being WPA 8370 of 2024 is disposed of.

There will be no order as to costs.

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.)