

D/L 113
05.03.2025
Bpg.
ct.no.35

W.P.A.8093 of 2023
With
CAN 1 of 2023
With
CAN 2 of 2023

Shadab Bano
Versus
The State of West Bengal & Ors.

Mr. Moyukh Mukherjee
Ms. Sagnika Banerjee
Ms. Sarmistha Basak
Mr. Kaustav Bhattacharya.
...for the petitioner.

Mr. Mr. Sk. Md. Galib
Mr. Kapil Guha.
...for the State-respondents.

Petitioner approached this Court being aggrieved by the manner in which the investigation commenced. The main thrust of contention was that since there were materials available and the police authorities did not incorporate proper sections, the accused was enjoying the benefits in spite of being an accused.

Mr. Kapil Guha, learned advocate appearing for the State has submitted a report. Report reflects that the investigating authorities after putting in efforts have exhausted all the remedies including arresting the accused persons from the Delhi Airport. Charge-sheet has already been submitted under the

relevant provisions of law including Section 386 of the Indian Penal Code.

Learned advocate for the petitioner is aggrieved that although sections have been added but there have been no recoveries.

In view of the charge-sheet having been submitted before the jurisdictional court, I direct that if there are further grievances existing, petitioner would take out an appropriate application under Section 173(8) of the Code of Criminal Procedure. If such an application is filed, learned Magistrate will consider and dispose of the same in accordance with law.

With the aforesaid observations, WPA 8093 of 2023 is disposed of.

Pending connected applications, if any, are consequently disposed of.

There will be no order as to costs.

Report so submitted be kept with the record.

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

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.)