

14.05.2025
Item No.16
Ct. No.35
dc.

W.P.A. 8102 of 2023

Shri Salil Kumar Bhattacharya
versus
The State of West Bengal & Ors.

Mr. Sabyasachi Chatterjee,
Mr. Akashdeep Mukherjee,
Ms. Monalisha Sinha ... For the Petitioner.

Mr. Subhendu Sengupta ... For the State.

Report dated 28.04.2025 submitted by the learned advocate appearing for the State be kept with the record. A copy of the report be handed over to the learned advocate appearing for the petitioner.

The said report reflects that the Officer-in-Charge, Hare Street Police Station has opined that since non-cognizable offence is made out, the police authorities cannot register a case without the direction from a court of law.

The petitioner is granted liberty to take out an application under Section 174 of BNSS, 2023. In case such an application is taken out at the behest of the petitioner, learned Magistrate going by the police report which has been submitted before this Court would pass necessary directions.

For the present, as such the writ petition being WPA 8102 of 2023 is disposed of.

Pending connected application, if any, is consequently 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.)