

01.05.2025
Item No.224
Ct. No.35
dc.

W.P.A. 8314 of 2025

Rizwan Ahmed
versus
The State of West Bengal & Ors.

Mr. Pranit Bagh,
Mr. S. N. Agarwal,
Mr. Sujay Sarkar,
Ms. Bishalaxmi Ghosh,
Mr. Anuj Mishra ... For the Petitioner.

Mr. Amal Kumar Sen, AGP,
Mr. Jaladhi Das ... For the State.

Mr. Moyukh Mukherjee,
Mr. Abhijit Singh,
Mr. Samrat Mandal ... For the *de facto* complainant.

Affidavit-of-service filed in Court today be
kept with the record.

Report submitted by the learned advocate
appearing for the State be also kept with the record.

The petitioner has approached this Court
contending that he had business transaction with
one of the accused for which he himself has been a
victim and presently the police authorities are after
him. To that effect, notices have been issued while
the petitioner contends that he has responded to
the notices under Sections 160 of the Cr.P.C and
91 of the Cr.P.C. Learned advocate appearing for
the State disputes such contention of the petitioner.

Number of documents has been enclosed
along with this writ petition and it has been
contended that neither the petitioner was FIR
named nor he had been beneficiary of the
accusation for which the FIR has been registered,

yet the police authorities are hounding him for reasons best known to them.

State has submitted a report which reflects that there are money trail which has been detected by the investigating agency and in course of investigation, the name of the petitioner has surfaced because of the transactions. According to the learned advocate for the State, notices under Section 41A of the Code of Criminal Procedure were issued and the same were not responded to by the petitioner, only response has been sent through the learned advocate in respect of some of his contentions and defence in respect of the queries.

Mr. Mukherjee, learned advocate appearing for the *de facto* complainant submits that pursuant to the High Court interfering in WPA 9281 of 2023, police authorities have submitted charge-sheet and process of further investigation is in progress.

Having considered that the further investigation of the case is in progress, the investigating officer is well within his limits for issuing notices under Section 41A of the Code of Criminal Procedure. Last of the notice which was issued was for appearance of the present petitioner on 25th March, 2025.

Learned advocate for the State submits that a fresh notice would be issued upon the petitioner.

The case was registered in the year 2023, till date no coercive steps have been taken against the present petitioner, although the petitioner apprehends that coercive steps may be taken against him.

In such circumstances, if the petitioner so apprehends, petitioner will exhaust statutory remedies available under the law.

With the aforesaid observations, the writ petition being WPA 8314 of 2025 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.)