

22.07.2025
Court No. 35
D/L. No.13
Rakib

W.P.A. 11295 of 2025
With
CAN 1 of 2025

Abhijit Roy
VS
The State of West Bengal & Ors.

Mr. Moyukh Mukherjee
Ms. Sagnika Banerjee
Mr. Samrat Mandal
...for the Petitioner.
Mr. Santanu Kr. Mitra, Sr. Govt. Adv,
Mr. Subhabrata Das
...for the State.
Mr. Sagnik Mukherjee
...for the intervenor.

In Re: CAN 1 of 2025

The applicant has prayed for intervening in the present writ petition for being added as a necessary party.

Having regard to the locus of the applicant, the same is allowed in spite of the objection raised by the learned advocate appearing for the writ petitioner.

Accordingly, CAN 1 of 2025 is allowed.

In Re: WPA 11295 of 2025

Learned advocate appearing for the petitioner is aggrieved by the fact that in spite of Rabindra Sarobar PS Case no. 34 dated 13.03.2025 having been registered for investigation under the relevant provisions of law, no effective steps have been taken by the investigating agency for unearthing the truth and the petitioner has

suffered irreparable loss and injury for the act and action of the investigating authorities.

State has submitted a report. Report reflects that the investigating agency after conducting the investigation has submitted charge-sheet being Rabindra Sarobar PS Charge-sheet no. 40 dated 09.07.2025 before the learned C.J.M. Alipore.

Having regard to the fact that the charge-sheet has been submitted before the jurisdictional Court, I am of the opinion that if the petitioner is aggrieved by the investigation, petitioner will approach the jurisdictional Magistrate for necessary reliefs in respect of the issues relating to effective investigation.

To that effect petitioner would be at liberty to take out an application under Section 230 of the BNSS for supply of copies and thereafter advance necessary prayers under Section 193(9) of the BNSS. Learned Magistrate would, if such an application is filed dispose of the same within a period of 60 days from the date of filing of such application.

With the aforesaid observations WPA 11295 of 2025 is disposed of.

Report so submitted by the State be kept with the record.

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

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.)