

15.05.2025
Item No.20
Ct. No.35
dc.

W.P.A. 11466 of 2023

Deepak Kumar Sangai
versus
The State of West Bengal & Ors.

Mr. Purnasish Gupta,
Mr. Jayanta Kumar Mukhopadhyay,
Ms. Sruti Dey ... For the Petitioner.

Mr. Ashim Kumar Ganguly,
Mr. Sudip Sarkar ... For the State.

Ms. Sutapa Sanyal,
Ms. Utsa Podder ... For the Respondent Nos. 7 to 10.

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 complains that his in-law has brutally assaulted his son and to that effect, information was furnished to the police station, but the police authorities did not take any steps.

State has submitted a report which reflects that earlier two cases were registered on the basis of information furnished by the petitioner being Shibpur Police Station Case No. 114 of 2022 dated 19.04.2022 and Shibpur Police Station Case No. 122 of 2022 dated 23.04.2022. On completion of investigation, charge-sheet was submitted before the jurisdictional court.

The petitioner complains that the police authorities did not conduct proper investigation. Since charge-sheet has already been submitted

almost three years ago before the jurisdictional court, I am of the view that without the documents collected by the investigating agency, it is not possible for a court of law to assess regarding the pros and cons and the steps taken by the investigating agency. However, having also taken into account that there are statutory remedies available, petitioner would be at liberty to file an application under Section 173(8) of the Code of Criminal Procedure before the jurisdictional court. The jurisdictional court will consider the same in accordance with law and would preferably within a period of sixty days from the date of filing of the application, dispose of the same.

With the aforesaid observations, the writ petition being WPA 11466 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.)