

23.06.2025
Court No. 35
Item No.61
Rakib

W.P.A. 11808 of 2025

Khagendra Nath Ghosh.
VS
The State of West Bengal & Ors.

Mr. Kaushik Dey,
Mr. Sutirtha Das.
... for the Petitioner.
Mr. Debasish Das.
...for respondent no. 8.
Mr. Jagabandhu Roy,
Mrs. Reshma Chatterjee.
...for State.

Affidavit-of-service filed by the petitioner be kept
with the record.

Petitioner is aggrieved regarding the manner in
which the investigation has been carried out in
connection with Nayagram Police Station case no.
94/2022 dated 16.07.2022. Learned advocate appearing
for the petitioner submits that repeatedly the
investigating officer has been filing final report, on
specific directions under Section 173(8) of the Cr.P.C.
further investigation is being directed. According to the
petitioner the main problem is that the expert is unable to
express his opinion as the original documents are not
being collected and on each and every occasion the same
problem arose, for which the investigating officer could
not arrive at its conclusion.

Learned advocate for the private respondents on
the other hand submits that there is no necessity of

passing any further direction in view of the Civil Suit which is the genesis of the case having been abated.

Learned advocate for the State submits that steps were taken by the investigating officer and there is no specific direction upon the Inspector-in-Charge who endorsed the investigation to some other investigating officer except the previous investigation who investigated the case.

Be that as it may, twice already the investigating officer associated with Nayagram Police Station has already submitted final report and this is on the second occasion the Narazi Petition has been allowed. The nature of the accusations are such that exclusively the case relate to documents which is the genesis of the investigation.

Having considered the nature of investigation, the delay which is being caused and on assessing the same the gravity of the offence, I am of the view that the investigation of the case be transferred to the CID, West Bengal for appropriate investigation. The records of the case be transmitted to the concerned Officer of the CID, West Bengal associated with the District of Jhargram, the said investigating officer would investigate the case and thereafter submit necessary report from time to time till the investigation attains finality or there is an outcome in

respect of his findings in connection with the present case.

With the aforesaid observations WPA 11808 of 2025 is disposed of.

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

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.)