

D/L 43
25.06.2025
Bpg.
ct.no.35

W.P.A.12008 of 2025

**Sofikul Mondal
Versus
The State of West Bengal & Ors.**

Mr. Sumanta Chakraborty
Mr. S.T. Mina
Ms. Priyanka Das.
...for the petitioner.

Mr. Kishore Datte, Ld.A.G.
Mr. Swapan Banerjee
Ms. Sumita Shaw
Mr. Diptendu Narayan Banerjee
Mr. Soumen Chatterjee.
...for the State-respondents.

Mr. Pratick Sardar.
...for the respondent nos.12 and 13.

Mrs. Shohini Chakraborty
Ms. Prajaaini Das.
...for the respondent no.14.

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

Petitioner has approached the learned
Magistrate invoking the jurisdictions under Section
175 of the BNSS. Learned Magistrate has been
passing orders expressing his dissatisfaction in
respect of the order so submitted by the police
authorities. Dates have been fixed by the learned
Magistrate in respect of the allegations made by the
petitioner and superior officers of police have been

involved in respect of the application so filed by the present petitioner.

Issues relating to CCTV footage as well as the protection of witnesses have been raised before the learned Magistrate. Therefore, the alternative remedy which is available is being dealt with by the learned Magistrate who is in seisin of the case. At this stage, it would not be proper to express any opinion so far as the merit of the case is concerned as any direction may prejudice the parties. Petitioner, as such, is directed to exhaust all the remedies available and thereafter approach this Court under the appropriate provisions of law.

With the aforesaid observations, WPA 12008 of 2025 is disposed of.

There will be no order as to costs.

Report so submitted be kept with the record.

Needless to state that since none of the respondents have used any affidavits, the accusations made in the writ petition are deemed not to have been admitted.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)