

Sl.No.  
1-2      09.09.2025  
  
Court  
No. 35  
  
G.S.Das

**WPA 13805 of 2024**  
With  
CAN 1 of 2025

**Rinku Majhi**  
-Vs-  
**The State of West Bengal & Ors.**

**With**  
  
**WPA 20362 of 2024**

**Shaibya Majhi**  
-vs-  
**The State of West Bengal & Ors.**

Mr. Sandipan Das  
... for the Petitioner in WPA 13805/24 and  
Private Respondent in WPA 20362/24

Mr. Dipanjan Chatterjee  
Mr. Kalyan Kumar Bhattacharjee  
Ms. Kakan Das  
... for the petitioner in WPA 20362/24

Mr. Ashim Kr. Ganguly  
Mr. Bellal Shaikh  
... for the State – Respondent(s) in WPA 20362/24

Mr. Sirsanya Bandopadhyay, Id. Sr. St. Counsel  
Mr. Bikramjit Mandal  
... for the State-Respondent(s) in WPA 13805/24

**CAN 1 of 2025**

This application has been preferred  
  
by the State.

However, report submitted on  
  
behalf of the Inspector-in-charge of Mandir  
  
Bazar P.S. categorically states that in

connection with Mandir Bazar PS Case No. 165 of 2024, charge-sheet was submitted before the jurisdictional court.

The prayers referred to in the writ petition deals with Mandir Bazar PS Case No. 261 of 2023 wherein it is also reflected in the report that charge-sheet has been submitted on completion of the investigation. Another case which has been dealt with by the petitioner relates to Mandir Bazar PS Case No. 126 of 2023, wherein, according to the report, after completion of the investigation, charge-sheet was submitted before the learned jurisdictional court.

Having considered that the same was not pointed out to the Co-ordinate Bench when the writ petition was taken up, a direction was passed for not filing the charge-sheet/Final report without leave of the Court.

Having regard to the fact that on

the said date already charge-sheet(s) were submitted before the jurisdictional court in respect of the aforesaid cases, directions are not applicable. Consequently, the part of the order which deals with “*Let no final report be filed without the leave of this Court*”, is recalled.

Accordingly, CAN 1 of 2025 is disposed of.

### **WPA 13805 of 2024**

Having considered that charge-sheet has already been submitted in the aforesaid cases and the prayers in the writ petitions were to the effect for submitting proper report in connection with the aforesaid three cases being Mandir Bazar PS Case No. 126 of 2023; Mandir Bazar P S Case No. 261 of 2023 and Mandir Bazar PS Case No. 165 of 2024, I am of the opinion that as the statutory provisions contain Section 173, sub-section (8) of the Cr.P.C., the petitioner would be

at liberty to ventilate his grievance(s) before the jurisdictional court *in seisin* of the aforesaid cases.

**WPA 20362 of 2024**

The petitioner's main grievance in this writ petition is with regard to Mandir Bazar PS Case No. 172 of 2024 not being investigated properly and proper section(s) not being incorporated as the case was registered under Sections 341/323/325/34 of the IPC.

Since an alternative remedy is available under Section 173(8) of the Cr.P.C. before the jurisdictional court, the petitioner would be at liberty to ventilate her grievance(s) before the said court.

In both the writ petitions, the main grievance of the petitioners are relating to Sections being understated. As such, if any application under Section 173(8) of the Cr.P.C. is preferred before the jurisdictional court, the learned

Magistrate would take into account the said fact before dealing with such application.

With the aforesaid observations, WPA 13805 of 2024 and WPA 20362 of 2024 are disposed of.

Pending application(s), if any, is also disposed of.

Case Diary be returned to the learned advocate for the State.

Report so submitted be kept with the record.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

**(Tirthankar Ghosh, J.)**

