

**IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE**

Present:
The Hon'ble Justice Debangsu Basak
And
The Hon'ble Justice Prasenjit Biswas

**M.A.T. 933 of 2025
With
CAN 1 of 2025**

**Kaushik Chakraborty
vs.
The State of West Bengal & Ors.**

For the Appellant : Mr. Sanjib Dutta

For the Respondent No. 6 : Mr. Mrityunjoy Chatterjee
Mr. Manas Das

For the State : Mr. Swapan Banerjee
Mr. Joydip Banerjee
Ms. Mousumi Banerjee
Mr. Diptendra Narayan Banerjee

Heard & Judgment on : **July 28, 2025**

DEBANGSU BASAK, J.:-

1. Appeal is at the behest of the writ petitioner and is directed against an order dated May 22, 2025 passed in W.P.A. 10667 of 2025.
2. Report called for by the Coordinate Bench filed in Court, be taken on record.
3. The writ petitioner seeks relief with regard to a pending criminal case.
4. It is the contention of the appellant that a charge sheet submitted by the police in the pending criminal case referred to a person who was long dead. The subsequent amended charge sheet also contained errors.

5. State and the private respondent are represented.
6. A criminal case is pending. In such criminal case, police submitted a charge sheet. The Jurisdictional Court in *seisin* of the criminal case is empowered to consider the issue, sought to be raised by the appellant with regard to the legality, validity and sufficiency of the charge sheet submitted.
7. At this stage, it is submitted on behalf of the appellant that, charge sheet is not under challenge.
8. If the charge sheet is not under challenge, we find no cause of action for the appellant to maintain the writ petition. Assuming though not admitting the appellant canvasses some grievances with regard to the manner of conducting the investigation, the same may be considered by the Jurisdictional Court if such issue is raised.
9. Essentially the appellant seeks the High Court to monitor the trial without making out any special circumstances with regard thereto.
10. In such circumstances, we find no ground to interfere with the order impugned.
11. **M.A.T. 933 of 2025** and the connected application being **CAN 1 of 2025** are dismissed without any order as to costs.

(Debangsu Basak, J.)

12. I agree

S.D.

(Prasenjit Biswas, J.)

