

D/L 3
01.05.2025
Kausik
ct.no.35

W.P.A. 14450 of 2023

**Sajidur Rahman & Ors.
Versus
The State of West Bengal & Ors.**

Mr. Omar Faruk Gazi
Mr. Md. Muslehuddin
Ms. Ayesha Najrin

...for the petitioner

Ms. Ipsita Banerjee

...for the state.

Report reflects there are four cases. Garfa PS Case No. 11 dated 18.01.2023, Garfa PS Case No. 122 dated 21.06.2023, Garfa PS Case No. 123 dated 21.06.2023 and Garfa PS Case No. 124 dated 21.06.2023.

Records reflect that two of the vehicles have been recovered. Accordingly, the investigation of the case is in process. Notice has been issued to the defacto complainant in respect of the recovered vehicle. However, till date the Investigating Officer did not get any response.

Accordingly, the petitioners being the defacto complainant in the respective cases would communicate with the Investigating Officer of the case. If the petitioners are interested regarding

return of the seized vehicle they would prefer an appropriate application under the relevant provisions of law before the jurisdictional court in seisin of the respective case. The learned Magistrate would call for a report from the Investigating Officer and thereafter decide the same in accordance with law.

Petitioner approached this court at a stage with a praying for transfer of investigation along with other consequential prayers. Since a comprehensive report has been submitted by the Officer-in-charge, Garfa Police Station in respect of the series of cases which are pending and the steps so taken, I am of the view that further pendency of the writ petition is unwarranted as steps are being taken by the Investigating Officer. Efforts be taken so that the investigation of the cases may be taken to its logical conclusion. As more than 22 months have passed since the registration of the said cases, defacto complainant as directed above would be at liberty to take steps before the court below.

With the aforesaid observations WPA 14450 of 2023 is disposed of.

Report so submitted be kept with the record.

A copy of the report be handed over to the learned advocate appearing for the petitioner.

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

(Tirthankar Ghosh, J.)