

D/L 81
25.07.2025
Bpg.
ct.no.35

W.P.A.14785 of 2025

**Debabrata Bag
Versus
The State of West Bengal & Ors.**

Mr. Phiroze Edulji, Sr. Adv.
Ms. Rajnandini Das
Ms. Anuradha Das.
...for the petitioner.

Mr. Jayanta Samanta
Ms. Paromita Malakar.
...for the State-respondents.

Mr. Sujoy Bandyopadhyay
Mr. Jagajyoti Das
Mr. Subhamoy Dutta.
...for the private respondent nos.4 to 7.

Petitioner is aggrieved by the fact that there has been no progress in Shyampur P.S. Case No.75 of 2024 dated 22.02.2024. According to the learned advocate appearing for the petitioner, the case has been investigated in a faulty manner and no conclusion could be arrived at by the investigating agency. On the contrary, police authorities have submitted charge-sheet in the counter case which was registered at the behest of the respondents being Shyampur P.S. Case No.73 of 2024.

Mr. Samanta, learned advocate appearing for the State submits that already charge-sheet has been submitted in both the cases including Shyampur P.S. Case No.75 of 2024 dated 22.02.2024.

However, the petitioner submits that he is yet to be notified according to the mandatory provisions of law.

Learned advocate for the private respondents submits that they are innocent of the charges and have been granted bail by the jurisdictional court.

Having regard to the grievance of the petitioner, I direct that in case no notice has been served pursuant to the charge-sheet having been submitted, the police authorities would immediately, preferably within three weeks from the date of the communication of the order inform the de facto complainant/petitioner in Shyampur P.S. Case No.75 of 2024 dated 22.02.2024. Petitioner would be at liberty to ventilate his grievance before the jurisdictional court in case he is dissatisfied with the investigation. It is further clarified that in case petitioner intends to prefer an application under 193(9) of the BNS/ under Section 173(8) of Cr.P.C. in that case the court will hand over the documents which are supposed to be relied upon by the prosecution in order to prove its case prior to the application under Section 173(8) of Cr.P.C. if proposed to be filed by the present petitioner/de facto complainant.

With the aforesaid observations, WPA 14785 of 2025 is disposed of.

There will be no order as to costs.

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.)