

26.11.2025
Item No.01
Ct. No.01
RP

MAT 1174 of 2023

Babli Chanda
VS
The State of West Bengal & Ors.

Mr. Mritunjoy Saha
...For Appellant
Mr. Swapan Kumar Dutta, Ld. GP
Mr. Nilotpal Chatterjee
...For State

PER, SUJOY PAUL, ACJ.:

1. This intra-Court appeal is directed against the order of learned Single Judge passed in WPA 12885 of 2023 decided on 1st June, 2023 whereby the learned Single Judge disposed of the writ petition by making certain observations/directions.
2. The matter before learned Single Judge was essentially arising out of an FIR and investigation. In view of judgment of the Hon'ble Supreme Court in the case of **Ram Kishan Fauji vs. State of Haryana** reported in **(2017) 5 SCC 533**, this intra-Court appeal is not maintainable. Even otherwise, the singular prayer advanced by the learned counsel for the appellant was that FIR was recorded under certain sections which are not grave in nature whereas offence was very grave. However, he fairly admitted that in the prayer of the writ petition no such relief was claimed to modify the sections under which FIR was registered. Thus, we find

no reason to entertain this intra-Court appeal. This intra-Court appeal is disposed of by reserving liberty to the petitioner to approach appropriate forum in accordance with law.

3. Urgent Photostat certified copy of this order, if applied for, be delivered to the learned advocates for the parties, upon compliance of all formalities.

[SUJOY PAUL, ACJ.]

[PARTHA SARATHI SEN, J.]