

28.07.2025
Item No.100
Ct. No.35
dc.

W.P.A. 15438 of 2025

Md. Firoj Alam
versus
The State of West Bengal & Ors.

Mr. Omar Faruk Gazi,
Ms. Susmita Das ... For the Petitioner.

Mr. Suman Ghosh ... For the State.

Affidavit-of-service filed in Court today be kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record.

The petitioner is aggrieved by the fact that in spite of the petitioner having suffered severe injuries, no steps were taken by the police authorities and in spite of medical documents being available, police authorities were reluctant to register a case and after registration, they were reluctant to proceed with the case. It is also alleged that appropriate provisions of law were not incorporated in the FIR. Consequently representation was made to the superior officers, but till date, no steps have been taken.

On the other hand, State has submitted a report which reflects that Harishchandrapur Police Station Case No. 635 of 2025 dated 25.06.2025 was registered for investigation.

I find from the formal FIR since 109 of BNS is incorporated. As such the provision of attempt to murder has been taken into consideration within the ambit of the investigation. Considering the same, I am of the view that the police authorities have seriously taken into consideration the accusations which have been made by the petitioner. The police report also reflects that raids have been conducted and efforts have been made to unearth the truth. Since the investigation of the case is still in progress, at this stage, I do not think that it would be fit and proper to interfere with the case which was registered on 25.06.2025. Police authorities would send a progress report to the *de facto* complainant after 90 days from the said date being over. If thereafter, the *de facto* complainant/petitioner is aggrieved in respect of certain issues relating to investigation, the informant/petitioner would be at liberty to approach the jurisdictional court. If aggrieved of the order passed by the jurisdictional court, the petitioner would be at liberty to approach this Court.

With the aforesaid observations, the writ petition being WPA 15438 of 2025 is disposed of.

There will be no order as to costs.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)