

Sl.No.
759 07.08.2025
Court
No. 35
G.S.Das

WPA 17074 of 2024

Safi Mallik
-Vs-
The State of West Bengal & Ors.

Mr. Kajal Ray
... for the Petitioner(s)

Mr. Rajarshi Basu
Mr. K. M. Hossain
... for the State – Respondent(s)

The petitioner is aggrieved by the fact that some of the accused persons who are involved in the alleged offence in connection with Keshiary P.S. Case No. 71 of 2022 dated 13.03.2022 were left out when the charge-sheet was submitted before the learned jurisdictional court.

The petitioner further states that immediately he lodged this complaint, he was taken into custody and the investigation proceeded, as such, he could not come to aid of the investigating agency. Consequently, the real culprits

could not be brought to book.

Learned advocate for the State has referred to a letter of complaint which was drafted by the petitioner addressed to the concerned police station from where two accused were named. Subsequently, charge-sheet was submitted against the six accused persons.

Having considered the grievance of the petitioner as well as the submissions advanced on behalf of the State, I find that 24 witnesses have been relied upon by the investigating agency/prosecution to prove its case. Out of the 24 witnesses, CSW1 is the first prosecution witness. In case, during the examination-in-chief and/or cross-examination any other individual is named, whose complicity transpires in evidence, an application under Section 319 of the Cr.P.C. be filed before the learned trial court and the trial court would take steps in accordance with law.

With the aforesaid observations,
WPA 17074 of 2024 is disposed of.

Pending application(s), if any, is
also disposed of.

Parties to act on a server copy of this
order duly collected from the official website of the
Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)