

D/L
Item No. 10
12.08.2025
KOLE
265777

WPA 17469 of 2025

Bappaditya Mondal
-Vs.-
The State of West Bengal & Ors.

Mr. Ajit Kumar Mishra,
Mr. Anindya Sundar Das,
Mr. A. Dey,

...for the petitioner.

Mr. Jayanta Samanta,

.... For the State.

Mr. Phiroze Edulji,
Mr. K. Kundu,
Mr. S. Shaw,
Ms. P. Bhattacharyya,
Ms. M. Debdas,

.... For the defacto complainant.

The petitioner is aggrieved in connection with the investigation registered being Falta Police Station Case No. 180 of 2025 dated 02.07.2025 under Sections 103(1)/3(5) BNS. Learned Advocate appearing for the petitioner contends that the petitioner was never present at the place of occurrence, he has been framed because of his political association and also for political vendetta. According to the petitioner the dates which are appearing in the written complaint, which has been written to be the First Information Report do not inspire any confidence for allowing the investigation to be proceeded in so far as the present petitioner is concerned. As such, there should be an interference made by this Court.

The State has submitted a report. The report reflects regarding the steps taken in course of the investigation and the history of the present petitioner which is also reflected in the writ petition. Thus, number of criminal cases have been registered against the petitioner since the year 2021 till date.

Learned Advocate for the defacto complainant submits that already in respect of a co-accused, anticipatory bail has been rejected by the Hon'ble High Court, Calcutta.

Be that as it may, the investigation in connection with the murder case is in progress. The petitioner obviously has the right to claim his innocence because of various reasons but since the investigation is at the nascent stage, I am of the view that it would be premature to assess regarding the contentions advanced on behalf of the petition until and unless the police authorities arrive at a definite finding.

At this stage, as such there is no scope for interference. As the petitioner has prayed for fair investigation, and no illegality in the investigation appear on the face of the records, no interference as such is called for.

However, having regard to the nature of the offence, the investigating officer is directed to put in efforts to unearth the truth.

With the aforesaid observations, WPA No. 17469 of 2025 stands disposed of.

Since the defacto complainant has not been made a party in the writ petition, the learned Advocate appearing for the petitioner may be allowed to file his power.

Report submitted by the State be kept with the records.

Copy of the report be handed over to the learned Advocates appearing for the other parties.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Tirthankar Ghosh, J.)