

D/L 3
02.09.2025
ct.no.35
Kausik

**W.P.A. 18709 of 2024
With
CAN 1 of 2024**

**Kaushik Kisore Roy
Versus
The State of West Bengal & Ors.**

Mr. Kaustav Chatterjee

...for the Petitioner.

Mr. Syed Ul Jaman
Mr. Sahidur Rahaman
Mrs. Syeda Razia Sultana

...for the private respondent nos. 5 to 11.

Mr. K. J. Yusuf, AGP
Mr. Sanjay Mukherjee

...for the State.

Petitioner approached this Court being aggrieved by the manner in which investigation of Chanditala PS Case No. 115/2024 and Chanditala PS Case No. 180/2024 had been progressing. The further prayers in the writ petition were with regard to the non-compliance in respect of the order dated 11.05.2023 passed by the learned Civil Judge (Junior Division), 3rd Court, Serampore, Hooghly in connection with TS No. 637/2022.

State has submitted a report. Report reflects that so far as the case arising out of Chanditala PS Case No. 115/2024 is concerned,

charge sheet no. 143/24 was submitted on or about 31.03.2024 before the jurisdictional Court under section 447/323/506/34 of the Indian Penal Code against four accused persons.

So far as Chanditala PS Case No. 180/2024 is concerned, the police authorities on conclusion of investigation submitted charge sheet no. 208/25 under section 447/188/427/506/34 of the Indian Penal Code against four accused persons.

Report submitted by the State also reflects regarding other cases which is not taken into account because of the prayers advanced in the writ petition.

Having considered that the investigating authorities have already submitted charge sheet after investigation was completed, in case, the petitioner is aggrieved, petitioner would approach the jurisdictional Magistrate under the relevant provisions of law. Learned Magistrate would assess regarding the genuinity of the allegations and thereafter would decide as to whether a case is made out for further investigation.

So far as the order of the Civil Court is concerned, I am of the opinion that if there has been any breach of the order passed by the learned Civil Court it would be for the petitioner to bring the same

to the notice of the learned Civil Court by invoking the appropriate provisions of law. learned Civil Judge (Junior Division), 3rd Court, Serampore, Hooghly would assess regarding the prayers of the petitioner and pass necessary directions as he deems fit and proper.

The police authorities are directed that in case they find any violation of law and order, as there is a strained relationship existing between the petitioner and the private respondents, they would take steps in accordance with law.

With the aforesaid observations WPA 18709 of 2024 is disposed of. Connected application, if any, is consequently disposed of.

Report submitted be kept with the record.

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

(Tirthankar Ghosh, J.)