

D/L 29
09.09.2025
Bpg.
ct.no.35

W.P.A.19620 of 2025

**Subhajit Saha
Versus
The State of West Bengal & ors.**

Mr. Arup Kumar Bhowmick.
...for the petitioner.

Mr. Sumon Ghosh
Mr. Soumik Dey.
...for the State-respondents.

Affidavit-of-service filed by the petitioner be
kept with the record.

Learned advocate appearing for the petitioner
has restricted his prayer for de-sealing the residence
which has been sealed in connection with Balagarh
P.S. Case No.544 of 2024 dated 23.11.2024.

State has submitted a report. Report reflects
that since the Forensic Science Laboratory report is
still awaited, collection of further evidence cannot be
ruled out and, as such, the premises has been sealed.

Since the criminal case is before a
jurisdictional court and the stage of the investigation
or the criminal proceedings are not apprised by the
petitioner before this Court, I grant liberty to the
petitioner to approach the jurisdictional court in
seisin of Balagarh P.S. Case No.544 of 2024 since an

alternative and efficacious remedy is already available. In case such an application is filed, learned Magistrate would independently consider the same without being influenced by any observations made hereinabove.

With the aforesaid observations, WPA 19620 of 2025 is disposed of.

There will be no order as to costs.

Report so 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.

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

(Tirthankar Ghosh, J.)