

Sl.No.
39 04.09.2025

Court
No. 35

G.S.Das

WPA 20633 of 2025

Binoy Majumder
-Vs-
The State of West Bengal & Ors.

Mr. Saheb Banerjee
... for the Petitioner (s)
Mr. Saikat Chatterjee
Ms. Payel Ghosh
... for the State – respondent(s)
Mr. Sourav Chatterjee, Sr. Adv.
Mr. Soumya Nag
... for the Respondent Nos. 7 and 8

The petitioner is aggrieved by the

factum of the police authorities not

considering his representation dated

21.08.2025.

State has submitted a report

which reflects that Charge Sheet No. 116

of 2025 dated 23.08.2025 has been

submitted in connection with New

Township PS Case No. 93 of 2024 dated

09.05.2024.

The grievance of the petitioner is

that CCTV footage has not been collected

by the investigating agency and one of

the accused has already been discharged

from the case.

Having considered that charge-sheet has already been submitted before the jurisdictional Special Court and the petitioner - being the defacto-compliant of the case, if he is dissatisfied with the charge-sheet having been submitted, he is entitled to ventilate his grievance by way of invoking the power under Section 173(8) of the Cr.P.C.

In case, such an application is preferred before the learned Special Court, the learned Special Court would consider the prayer of the petitioner expeditiously in accordance with law.

Learned advocate for the private respondent nos. 7 and 8 submits that a writ petition being WPA 14642 of 2024 has been preferred for quashing of the proceedings.

As the writ petition was filed at a stage when the investigation of the case

was in progress, there has been subsequent change of circumstances, as such, the pendency of the writ petition will not deter the learned Special Court to independently consider the application, if preferred by the petitioner.

With the aforesaid observations, WPA 20633 of 2025 is disposed of.

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

Report so submitted be kept with the record.

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.)

