

20.03.2025

Item No.78

Ct. No.35

dc.

W.P.A. 22197 of 2024

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CAN 1 of 2025

Souvik Chakraborty

versus

The State of West Bengal & Ors.

Mr. Phiroze Edulji, Sr. Adv.,
Mr. Aranya Saha,
Ms. Samira Grewal,
Ms. Priyanka Bhattacharya,
Ms. Anuradha Das,
Ms. Manisha Deb Das ... For the Petitioner.

Mr. Wasim Ahmed,
Md. Shehabuddin ... For the State.

Ms. Rita Patra,
Mr. Pradip Bose,
Ms. Pusmita Das ... For the applicant in CAN 1/2025.

An application for addition of party being CAN 1 of 2025 has been preferred by Madhumay Chakraborty. Let the applicant be added as respondent no.4 in the main writ petition, in view of the fact that the applicant is an accused in connection with Baguiati Police Station Case No. 393 of 2023 dated 09.07.2023.

The application for addition party being CAN 1 of 2025 is, thus, allowed.

Mr. Edulji, learned senior advocate appears for the petitioner who has set the criminal law into motion and is aggrieved by the manner in which charge-sheet has been submitted by the police authorities without tracing out the accounts so far as the monetary transactions are concerned as the

basic accusation in the FIR was relating to a substantial sum of money being parted on the basis of allurement of the accused persons.

State has submitted a report. Let the same be kept with the record.

Mr. Ahmed, learned advocate appearing for the State submits that charge-sheet has been submitted. The accused persons have been arrested and presently they are in custody.

Having considered the fact that charge-sheet has been submitted during pendency of the writ petition and the petitioner is aggrieved with the investigation, I am of the view that at the first instance, the petitioner should approach the learned Magistrate in seisin of the issue by preferring an application under Section 173(8) of the Code of Criminal Procedure. If such an application is filed, the learned Magistrate would dispose of the same within a period of thirty days of filing of the said application.

With the aforesaid observations, the writ petition being WPA 22197 of 2024 is disposed of.

There will be no order as to costs.

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

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

(Tirthankar Ghosh, J.)