

D/L215
10.03.2025
Bpg.
ct.no.35

W.P.A.23013 of 2023

**Pradip Tewari
Versus
The State of West Bengal & Ors.**

Mr. Debanik Banerjee
Mr. Steven S. Biswas.
...for the petitioner.

Mr. Santanu Kr. Mitra
Ms. Rama Halder.
...for the State-respondents.

Mr. R. Alam
Mr. S.M. Hassan
Ms. Anupama Yasmin.
...for the respondent nos.8 & 13.

There are two cases according to the report submitted by the State. The first of the case being Murshidabad P.S. Case No.770 of 2022 wherein on conclusion of investigation a report under Section 173 Cr.P.C. being FR-Mistake of Fact has been submitted on or about 28.10.2025. Another case being Murshidabad P.S. Case No.610 of 2022 dated 30th September, 2022 was registered on the complaint of the Estate Manager. On conclusion of investigation again final report-mistake of fact has been submitted on 19.09.2024.

Both the aforesaid FIRs related to the Estate Manager having initiated the investigation.

So far as the petitioner is concerned, the grievance of the petitioner is that his representation was never considered. It has been brought to the notice by way of the report so submitted before this Court that petitioner filed an application under Section 156(3) of Cr.P.C. vide memo no.1346 of 2022 vide order dated 21.04.2023 the said application under Section 156(3) of Cr.P.C. was dismissed.

Having considered that a court of law has passed a judicial order, I am of the view that the petitioner's grievance is to be addressed in the revisional jurisdiction. As such, no interference is made under Article 226 of the Constitution of India. However, the petitioner will be at liberty to invoke the jurisdiction under the relevant provisions of the Code of Criminal Procedure before the appropriate court of law.

With the aforesaid observations, WPA 23013 of 2023 is disposed of.

There will be no order as to costs.

Report so submitted be kept with the record.

A copy of the report be handed over to the learned advocate appearing for the petitioner.

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.)