

S/L 4
09.12.2025
Court. No. 25
sourav

WPA 26735 of 2025

**Dey Enterprise, represented by Monojit Dey
Vs.
The State of West Bengal & Ors.**

*Mr. Kamalesh Bhattacharya
Mr. Aninda Bhattacharya*

...for the petitioner.

*Mr. Tanay Chakrobarty
Mr. Parikshit Goswami*

...for the State.

1. The petitioner has filed the present writ application praying for release of the vehicle being No. WB41K3352 loaded with the jaggery detained on September 15, 2025.
2. The learned counsel for the petitioner submits that there are two contradictory reports of the scientific lab. In one report, it is mentioned that the alleged materials are not molasses and another report reveals that the alleged materials loaded in the truck are molasses.
3. The learned counsel for the State submits that already a criminal case has been initiated before the learned Additional Chief Judicial Magistrate, Arambagh being C.R. No. 179 of 2025 wherein the petitioner has filed an application for release of the vehicle and the learned Magistrate has called for the report from the concerned authority with regard to the release of the vehicle.
4. Considering the above, this Court finds that the concerned authority has already initiated a criminal case and the petitioner has approached the learned

Magistrate for release of the vehicle. Thus, the writ application filed by the petitioner is not maintainable.

5. Accordingly, WPA 26735 of 2025 is dismissed.
6. This Court has not gone into the merit of the matter, the petitioner is at liberty to take all the points before the learned Magistrate.

(Krishna Rao, J.)