

30.04.2025

Item No.6
Ct. No.35
dc.

W.P.A. 26624 of 2023

**Alok Bhattacharyya
versus
State of West Bengal & Ors.**

Ms. Afreen Begum,
Ms. Swastika Chowdhury ... For the Petitioner.

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

Learned advocate appearing for the State submits that names of the learned advocates for the State have been incorrectly recorded in the earlier order dated 18.02.2025.

Accordingly, the names of the following advocates on behalf of the State should be inserted in the order dated 18.02.2025 :

Mr. Wasim Ahmed,
Md. Shehabuddin.

Department is directed to incorporate necessary correction, as above, in the order dated 18.02.2025.

Other portions of the order dated 18.02.2025 would remain unaltered.

Let this order be treated as part and parcel of the order dated 18.02.2025.

Today a report has been submitted on behalf of the State which reflects that charge-sheet was submitted in connection with Nimta P.S. Case No. 345/2023 dated 06.08.2023 on or about 02.05.2024 under Sections 341/325/506 of the

Indian Penal Code. However, the grievance of the petitioner is that none of the medical reports which were submitted to the investigating agency in course of investigation has been relied upon by the investigating agency while submitting the charge-sheet. At least Serial No.11 of the report under Section 173 of the Code of Criminal Procedure do not reflect the same. Petitioner is further aggrieved regarding the Sections which have been incorporated while submitting the charge-sheet. However, it has also been submitted that an application under Section 173(8) of the Code of Criminal Procedure is pending before the learned ACJM, Barrackpore.

Having regard to the fact that the application for further investigation is still pending, learned Magistrate is directed to consider the grievance of the *de facto* complainant who has set the law into motion and pass necessary directions within a period of sixty days from the date of communication of this order.

With the aforesaid observations, the writ petition being WPA 26624 of 2023 is disposed of.

Report so submitted be kept with the record.

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.)