

06.02.2025

Item No.38
Ct. No.35
dc.

W.P.A. 58 of 2025

**Mithun Dulay
versus
The State of West Bengal & Ors.**

Mr. Shankha Maity,
Mr. Prasanta Banerjee ... For the Petitioner.

Mr. Dipanjan Datta,
Mr. Sayan Datta ... For the State.

Mr. Ankit Agarwala,
Ms. Alotriya Mukherjee ... For the Respondent Nos. 7 to 10.

Report submitted by the learned advocate
appearing for the State be kept with the record.

The petitioner is aggrieved by the fact
regarding the reluctance of the police authorities to
register a case and consequently investigate the
accusations so made.

State has submitted a report which reflects
that Serampore Police Station Case No. 44/2024
dated 21.01.2024 was registered for investigation
under Sections 279/304A of the Indian Penal Code.
The investigating agency on conclusion of
investigation submitted Serampore PS Charge-sheet
No. 131/2024 dated 31.03.2024 under the relevant
provisions of the Indian Penal Code. In view of the
investigation having been completed and a court is
in seisin of the said case, it would be in all fairness
to direct the petitioner to approach the
jurisdictional court in seisin of the matter to
address his grievance.

Learned advocate appearing for the respondent nos. 7 to 10 questions the locus of the present petitioner.

Be that as it may, in case any application is filed by the present petitioner, learned court in seisin of Serampore Police Station Case No. 44/2024 dated 21.01.2024 would consider all the angles whether for interest of justice, such an application is to be dealt with.

With the aforesaid observations, the writ petition being WPA 58 of 2025 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.)