

13.05.2025
Court No.2
Item No.19
AJ

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
CONSTITUTIONAL WRIT JURISDICTION

WPA 1048 of 2025

Bishwanath Barman

-Vs-

The State of West Bengal & Ors.

Mr. Ankur Barman.

... for the Petitioner.

Mr. Sumit Kumar.

....for the State.

Mr. Hillol Saha Podder.

....for the private respondent.

Affidavit of service filed on behalf of the petitioner be kept with the record.

On the basis of a written complaint of the petitioner with the Tufanganj Police Station, the Special Court Case No. 9 of 2024 under Section 3(1)g, 3(1)(f) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 was registered against the private respondent no.5.

The Police Authority, in the said criminal case, however has submitted the final report to which the petitioner had objected which has been overruled.

The petitioner is praying for a direction for further investigation.

The direction, as prayed for, is misconceived inasmuch as the petitioner, for the said relief, is required to take recourse of the procedure prescribed under the relevant provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023(BNSS).

WPA 1048 of 2025 is therefore dismissed as not maintainable without any order as to costs.

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

(Biswajit Basu, J.)