

Court No. 2
08.01.2025
Item No.30
dc.

IN THE HIGH COURT AT CALCUTTA
Circuit Bench At Jalpaiguri
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 1362 of 2024

Subrata Dey
VS
Union of India & Ors.

Mr. Sabyasachi Chatterjee,
Mr. Badrul Karim,
Mr. Krishna Barman
... for the petitioner.

Mr. Sudipto Kumar Mazumdar, ld. DSGI,
Mr. Sourab Kar
... for the Union of India.

Mr. Joyjit Choudhury, ld. AAG,
Ms. Bedashruti Bose,
Mr. Pradip Sarkar
... for the State.

Mr. Amales Ray,
Ms. Perna Mitra
... for the respondent nos. 15, 18 & 19.

Supplementary affidavit filed on behalf of the
petitioner be kept with the record.

The petitioner is still aggrieved by the
investigation having been concluded and the principal
accused having been brought to the fold of law.

The petitioner would approach the
jurisdictional court under the changed circumstances
and pray for supply of copies prior to preferring any
application under Section 173(8) of the Code of
Criminal Procedure, if so advised.

Learned Magistrate on such an application of
the petitioner would supply the documents relied

upon by the prosecution to arrive at its finding within a period of fifteen days from the date of filing of the application. Thereafter within a period of fortnight, the application under Section 173(8) of the Code of Criminal Procedure should be filed before the jurisdictional Magistrate, if so advised. In case such an application is filed, the learned Magistrate would dispose of the same within a period of 45 days from the date of filing of the said application.

With the aforesaid observations, the writ petition being WPA 1362 of 2024 is disposed of.

Pending connected application, if any, is consequently 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.)