

23.03.2026
Item No.13
Ct. No.01
RP

WPA(P) 94 of 2026

**Sk. Babulal
VS.
The State of West Bengal & Ors.**

Mr. Kallol Kumar Basu
Mr. Anindya Sundar Das
Mr. Surajit Ghosh
Mr. Jannat Ul Firdaus
Mr. Rajsekhar Hota
Ms. Parmita Mondal
Ms. Suva Gayen
Mr. Suman Halder
Ms. Shabnam Yeasmin
Mr. Anuvab Das

..For Petitioner

Mr. Samrat Sen, Ld. AAAG
Mr. Amritalal Chatterjee

..For State

Mr. Arun Kumar Maiti (Mohanty), Spl. PP
Mr. Bhaskar Prosad Banerjee, Spl. PP
Mr. Debayan Sen, Spl. PP
Mr. Debasish Tandon
Ms. Deeba Nomani

..For NIA

Dictated by SUJOY PAUL, CJ.:

1. Parties are represented through their respective learned counsels.
2. Learned advocate for the petitioner submits that an explosion had taken place in a cracker factory in Purulia town. The prayer made in

this PIL is to complete investigation and send the matter to NIA.

3. During the course of admission hearing a report is filed by the Inspector-in-Charge, Purulia (Town) P.S., Purulia by contending that investigation is going on and the present petition is premature in nature. He submits that mere involvement of fire cracker even if illegally stored, does not ipso facto attracts Explosive Substances Act, 1908, unless ingredients of intent, mens rea or use of prohibited explosive substances are made out.
4. In the opinion of this Court the investigation is going on and at present it is premature to form any opinion about availability of ingredients for attracting the NIA Act. In our opinion, this petition deserves to be disposed of by directing the investigating agency to conclude the investigation at the earliest and if during investigation necessary ingredients for invoking NIA Act are found available, appropriate action be taken in terms of Section 6(3) of the NIA Act, 2008.

5. With the aforesaid observation and without expressing any opinion on merit of this case, PIL is disposed of.

[SUJOY PAUL, CJ.]

[PARTHA SARATHI SEN, J.]