

WPA 10080 of 2026

**Tapas Das & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Prasad Bhattacharyya
...for the petitioners
Mr. Suryaneel Das
Ms. Suchitra Sinha Chatterjee
...for the State
Ms. Asha Kumari Manjhi
...for the respondent nos. 6 to 9

1. Affidavit of service filed on behalf of the petitioners is taken on record.
2. It is submitted on behalf of petitioners that direction is sought for upon the investigating agency to implicate other persons during course of investigation of Amdanga Police Station Case No. 652/2025 dated 10th September, 2025. It is contended that other persons named in the writ petition are required to be taken within the fold of aforesaid criminal prosecution and investigation for taking effective steps prior to completing investigation.
3. Mr. Suryaneel Das, learned Additional Government Pleader represents State respondents has filed a communication dated 1st July, 2026 of Inspector-in-Charge, Amdanga Police Station and same is taken on record. Copy of the communication dated 1st

July, 2026 is made over to the learned advocate representing petitioners.

4. It is disclosed in aforesaid communication dated 1st July, 2026 that on completing investigation charge sheet being no. 750/2025 dated 26th October, 2025 was filed before the jurisdictional Magistrate and cognizance of offence was taken by Court below.
5. In view of filing of charge sheet and cognizance of offence is taken by the jurisdictional Magistrate after filing of charge sheet writ petition under Article 226 of the Constitution of India is not maintainable. It needs to be recorded herein that Court is not considering application under Article 227 of Constitution of India nor application under Sections 482 Cr.P.C./528 BNSS. In this regard reliance is placed on the judgment of Hon'ble Supreme Court reported in **2024 SCC OnLine SC 5761, Neeta Singh & Ors. Vs. State of Uttar Pradesh & Ors..**
6. Hence, writ petition is not maintainable and same stands dismissed.
7. However, this order shall not preclude the petitioners to approach jurisdictional Magistrate in pursuit of remedy.

8. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)