

08.09.2020

Item No.05
Court No.11
Avijit Mitra

W.P.A. No. 5883 of 2020 (Via Video Conference)

**In re: Apan Baran Biswas
- Versus -
State of West Bengal & Ors.**

Mr. Sayan Dutta,
Mr. Avik Dhar

For the Petitioner

Mr. Raja Saha,
Mrs. Rupsha Chakraborty

For the State Respondents

Mr. Dutta, learned advocate appearing for the petitioner submits that the petitioner had been physically assaulted and had been threatened of dire consequences by the respondent no.4. The said respondent had also extorted an amount of Rs. 6 lakh from the petitioner. A complaint to that effect was lodged by the petitioner before the respondent no.3 on 18th January, 2020 but thereafter no steps were taken. Aggrieved thereby, the petitioner has approached this Court.

Mr. Saha, learned advocate appearing for State respondents submits, upon instruction, that on the basis of the petitioner's complaint, an F.I.R. had already been registered being Dum Dum Police Station Case No.542 of 2020 dated 7th September, 2020 under Sections 341/323/325/420/406/506/34 of the Indian Penal Code and investigation is in

progress. Let the written instruction, as produced, be kept on record.

Mr. Dutta submits that it is only after the writ petition was filed, the F.I.R. had been registered.

Upon hearing the learned advocates appearing for the respective parties and upon considering the materials on record, this Court directs the investigating agency to conduct the investigation in Dum Dum Police Station Case No.542 of 2020 dated 7th September, 2020 under Sections 341/323/325/420/406/506/34 of the Indian Penal Code in a fair and impartial manner and to conclude the same at an early date.

The writ petition, is accordingly, disposed of.

There shall however be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the learned advocates for the parties.

(Tapabrata Chakraborty, J.)