

Court No. 24
14.09.2020
(Item No. 12)
(SB / S. Banerjee)

W.P.A. 6648 of 2020
(Old No. W.P. 6648 (W) of 2020)
CAN 1 of 2020
(Old No. CAN 5501 of 2020)

Asgari Begum
Vs.
The State of West Bengal & Ors.
(Through Video Conference)

Mr. Pawan Gupta
Mr. Rajdeep Bhattacharyya
Mr. S. Siddiqui
Mr. Shabaz Alam

... For the petitioner

Mr. Subhabrata Dutta
Mr. Benazir Alam

..... For the State

C.A.N. 1 of 2020 (Old No. 5501 of 2020) is disposed by taking up the writ petition for consideration.

Petitioner complains of police over action.

Learned counsel appearing on behalf of the petitioner submits that the petitioner was made to sign a statement at page 52 of the writ petition on the basis of which a first information report was lodged. He submits that the first information report was lodged sometime at 10 PM in the evening when an electronic mail was issued by the petitioner at about 4.25 PM in the afternoon. The electronic mail contains the correct narration of events. Subsequent statement which the police officials made the petitioner to sign, do not allude to the events occurring correctly.

Learned counsel appearing for the State submits that since the petitioner is a woman, police officials visited the residence of the petitioner whereupon the

petitioner volunteered and made her statement. Such statement was reduced in writing and signed by the petitioner. On the basis of such written statement, the police lodged the first information report. The police are investigating on the first information report.

Private respondent is represented.

Since the police have lodged a first information report on the basis of a complaint of the petitioner, and since the petitioner contends that the electronic mail contains a better version of the complaint of the petitioner, it would be appropriate to direct the police authorities to investigate the first information report by taking into consideration the contents of the electronic mail dated August 5, 2020 sent at about 4.25 PM along with the complaint which the police lodged with themselves.

With the aforesaid directions, W.P.A. 6648 of 2020 (Old No. W.P. 6648 (W) of 2020) is disposed of.

Since the court did not invite any affidavit, the allegations made in the writ petition are deemed to have been denied.

(Debangsu Basak, J.)