

04
27.02.2020
Court No.2
DC

CIRCUIT BENCH OF
CALCUTTA HIGH COURT
AT JALPAIGURI
APPELLATE SIDE

WPA 297 of 2020

Jharna Chakraborty
Vs.
The State of West Bengal & Ors.

Mr. Arnab Sahafor petitioner

Mr. Debabrata Dhar
Ms. Paramita Sahu.....for the State

Mr. Tirthankar Dhali.....for private respondents

Petitioner complains of police inaction.

The primary complain of the petitioner is that the police is not taking any step against the respondent numbers 5, 6, 7 and 8. The petitioner complains that she was compelled to approach the learned Additional Chief Judicial Magistrate-I, Dinhata for redressal of her grievances and in compliance with the order passed by the learned Court below and case being Dinhata P.S. Case No. 542/19 dated 25.12.19 under Sections 436/34 of the Indian Penal Code was initiated.

The petitioner submits that after initiation of the aforesaid case the police is not conducting the investigation in a proper manner. The petitioner is

aggrieved by the manner in which the police is proceeding with the investigation of the said case.

Learned Advocate appearing on behalf of the State respondents has placed before this Court the instructions given to him by the Inspector-in-Charge, Dinhata Police Station.

From the said instruction it appears that there are several cases and counter cases pending in between the parties. Apart from the above mentioned case further case being Dinhata P.S. Case No. 99 of 2019 dated 26-02-2016 under Section 25(A-1)/27 of the Arms Act, Dinhata P.S. case No. 463/19 dated 30.10.2019 under Sections 447/354/427/506/34 of the Indian Penal Code are pending before the police station. A charge-sheet has already been submitted vide Dinhata P.S. C.S. No. 476 of 2019 dated 27.11.2019 under Section 447/354/427/506/34 of the Indian Penal Code. Besides the above, there are several civil litigations pending in between the parties.

The writ petition is disposed of by directing the Inspector-in-Charge, Dinhata Police Station to take proper necessary steps to complete the investigation of the cases pending in his police station in respect of the aforesaid parties.

The police shall take all steps to ensure that the investigation is completed within a period of six months from date.

The petitioner will be at liberty to approach the appropriate forum in accordance with law, if so advised, for redressal of her grievances.

The writ petition is disposed of.

Urgent certified Photostat copy of this order, if applied for, be supplied to the parties upon observance of requisite formalities.

(Amrita Sinha, J.)