

24.02.2021

Ct. No.13

Sl. No.41

akd

W.P.A. 5047 of 2020 [via video conference]

[Rana Dey -Vs- Principal Secretary, Home Department & Ors.]

Mr. Sujit Kumar Ghosh

Mr. Soumya Bhatta

... .. for the petitioner

Mr. Susanta Pal

Ms. Ananya Neogi

... for the State

The writ petitioner was working as a civic volunteer under Memari Police Station in the district of Purba Burdwan.

Pursuant to a FIR dated 26th March, 2019, a charge-sheet has been filed implicating the petitioner, inter alia, under Sections 498A/304B/306 of the Indian Penal Code. Proceedings are pending before the appropriate courts in the district of Purba Burdwan. Based to the FIR the petitioner has been disengaged from service. The petitioner claims that the dispute for which the petitioner is facing criminal proceedings is purely private in nature. He has made representation to the Superintendent of Police, Purba Burdwan in this regard.

In these circumstances, the Superintendent of Police, Purba Burdwan shall pass any suitable order on the representation of the writ petitioner dated 14th February, 2020 being Annexure 'P-3' to the writ application preferably within a period of two months from the date of communication of a copy of this order.

It is clarified that the Superintendent of Police, Purba Burdwan may take an independent decision in the matter uninfluenced by any observation made hereinabove.

With the aforesaid observations, the writ petition is disposed of.

Copies of the FIR and charge-sheet produced by the learned counsel for the petitioner be taken on record.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Rajasekhar Mantha, J.)