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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 10511 of 2021
(Via Video Conference)

Partha Sarathi Mukherjee
Vs.
The State of West Bengal & Ors.

Mr. Ashim Kumar Ganguly,
Ms. Karabi Roy
... For the State.

The petitioner complains of police inaction in connection with the investigation needed in terms of a complaint lodged by the petitioner against his daughter and son-in-law, being the respondents no.5 and 6 respectively.

On behalf of the State respondent it is submitted that pursuant to the complaint made by the petitioner a case, being Shibpur Police Station Case No.145/21 dated 22nd May, 2021 under Sections 379/406/506/34 of the Indian Penal Code 1860 (in short, IPC) and sections 23/24 of the Maintenance and Welfare of Parents & Senior Citizen Act, 2007, have been registered. Notices under sections 41A and 91 of the Code of Criminal Procedure, 1973 (in Short, Cr.P.C) has been issued. The respondent no.6 was also arrested and is now on bail.

A copy of the instruction given by the Officer-in-Charge, Shibpur Police Station to the learned Government Pleader, High Court, Calcutta, which has been made over to

Court is kept with the record.

After considering the submissions made by the petitioner (through his new advocate Md. Shahjahan Hossain, though no Vakalatnama has been filed on his behalf) and the State respondents it appears that the allegation of police inaction is unsubstantiated after registration of the case and arrest of the respondent no.6. The writ has also lost its force on registration of criminal case and arrest.

Nothing further remains to be adjudicated in the instant writ petition. The writ petition is thus disposed of.

Since I have not called for any affidavits, the allegations contained in the writ petition are deemed to have not been admitted by the respondents.

Urgent photostat certified copy of this order, if applied for, is to be given to the parties upon compliance with the necessary formalities.

(Arindam Mukherjee, J.)