

07.07.2021

Ct. No.13

Sl. No.92

pk/akd

W.P.A. 10928 of 2021 [via video conference]

[Ayesha Nizam -Vs- The State of West Bengal & Ors.]

Mr. S. Siddiqui
Mr. Rajdeep Bhattacharyya
... .. for the petitioner

Mr. Amitesh Banerjee
Mr. Tarak Karan
Ms. S. Karan
... .. for the State

Affidavit-of-service filed in court today be kept with the record.

Learned counsel for the petitioner submits that the Investigating Officer should have included Section 302 of the Indian Penal Code in the FIR.

This Court notes that the petitioner has made a representation to the Officer-in-charge, Tiljala Police Station on 23rd June, 2021. This Court is of the view that the remedy of the petitioner would be before the learned Magistrate before whom the final report shall be filed by the police.

The Investigating Officer may also consider and take note of the petitioner's request in this regard.

In those circumstances, the writ petition is disposed of granting liberty to the petitioner to approach the jurisdictional Magistrate with inter alia an application for *Narazi*.

It is directed that the Tiljala Police Station shall complete the investigation mandatorily and positively within a period of two months from the date of communication of this order.

There will be no order as to costs.

All parties are to act on a server copy of this order duly downloaded from the official website of this court.

(Rajasekhar Mantha, J.)