

08.09.2021.
Item No. 84.
Court No.13
ap

**W.P.A. No. 10973 of 2021
(Through Video Conference)**

**Tapan Karak
Versus
The State of West Bengal & Ors.**

Mr. Soujanya Bandyopadhyay.
..For the petitioner.

Mr. Amitesh Banerjee, Id. Sr. Standing Council,
Ms. Ipsita Banerjee.
...For the State.

The Superintendent of Police, Howrah Rural District, Mr. Saumya Roy, has filed an undated report. The same is taken on record.

It appears from the said report that upon receipt of a complaint from the writ petitioner on 4th June, 2021, the Office of the Superintendent of Police, Howrah Rural District transmitted the said complaint for enquiry to the Zonal Supervisory Officer, i.e. Sub-Divisional Police Officer, Uluberia, who caused the local enquiry in respect of the complaint vide Office Memo No. 1932/SDPO/21 dated 15th June, 2021 within the Bauria Police Station.

It is stated that the Sub-Divisional Police Officer, Uluberia for some strange reasons, caused an enquiry at the Bauria P.S. where the petitioner resided instead of the Bagnan Police Station area, where the victim died.

It is not known as to when Bagnan Police Station was at all intimated by the Office of the Superintendent of Police, Howrah Rural District or the Sub-Divisional Police Officer, Uluberia of the said complaint. Bagnan Police Station had registered a case on 13th July, 2021 only upon receipt of a formal complaint by the writ petitioner.

It further appears from the written complaint dated 4th June, 2021 addressed to the Superintendent of Police, Howrah Rural District that the address of the victim was specifically mentioned, as within the Bagnan Police Station. It is further evident from the said complaint that the writ petitioner had specifically asserted that he was not allowed to see his daughter's dead body by the Bagnan P.S. This Court is not satisfied by the explanation of the S.P. Howrah Rural as regards the steps taken by his office on receipt of the complaint from the petitioner on 04.06.2021.

While this Court notes that some steps taken by the Superintendent of Police, Howrah Rural District for initiating disciplinary action against the concerned Officers, this Court is of the view that the report of the Superintendent of Police, Howrah Rural District along with the writ application and the orders of this Court, should be sent to the Director General of Police, West Bengal for necessary information and action.

The actual cause of delay in the actions of the Bagnan Police Station and allegations against the Bagnan Police Station and Office of the Superintendent of Police, Howrah Rural District shall be diligently and minutely gone into by the Director General of Police, West Bengal and suitable report may be submitted to the Home Secretary, Government of West Bengal in this regard. A copy of the above documents shall also be sent to the Home Secretary of the State.

The writ petitioner shall forward the aforesaid documents to the Director General of Police, West Bengal as well as Home Secretary of the State.

Let a copy of the report be supplied to the Counsel for the writ petitioner by Mr. Amitesh Banerjee, Counsel for the State in course of the day.

With the aforesaid observations, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)