

27-08-2021
ct no. 13
Sl.122
sp

WPA 11767 of 2021
Fayjan Khadim @ Fayajan Khadim
-Versus-

State of West Bengal & Ors.
(Via Video Conference)

Md. Sarwar Jahan,
Mr. Sumanta Das,
Mr. Binay Shaw

...for the petitioner

Mrs. Amrita Panja Moulick

....for the State

Affidavit of service filed in Court today is taken
on record.

At the instance of the writ petitioner, the
learned Chief Judicial Magistrate, Krishnagar, Nadia
has ordered investigation in respect of the injury
sustained by the husband of the petitioner, Kalu
Khadim.

It is also submitted that the daughter-in-law of
the petitioner has also sustained injuries in course of
the incident. The accused persons are the private
respondent nos. 6 to 11.

Counsel for the State submits that the
petitioner has not cooperated in the investigation.
The petitioner was asked by the police to undergo
further medical treatment, which has been refused.

Investigation as of now has revealed that the
injuries sustained by the petitioner are not stab
wounds, but a result of a bamboo injury. It is also
submitted that the police have found no 'Salish' had

occurred in the village as submitted in the complaintant.

This Court is of the view that the investigation in the matter should be completed expeditiously. The emergency ticket of Bethuadahari, RH, Nadia that there is deep cut on the side of the abdomen must also be taken into consideration. The opinion of the medical officer that there was an attempt to murder, is not conclusive but may be considered in the investigation. The Investigating Officer may also examine the documents annexed to the writ application.

In that view of the matter, let the I.O. complete the investigation mandatorily and positively within a period of one month from date.

Let a final report be filed before the concerned Magistrate.

The petitioner shall be entitled to take objection to such report, if so advised, inter alia, under Section 173 of the Cr. P.C.

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

There shall 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.)

