

13.08.2021.
Item no. 84.
Court No.13
ap

**R.V.W. No. 84 of 2021
(CAN 1 of 2021)
In
W.P.A. No. 10936 of 2021
(Through Video Conference)**

**Sohani Middey
Versus
The State of West Bengal & Ors.**

Mr. Mrityunjoy Chatterjee,
Sk. Toslim Ali,
Mr. Debapriya Majumder.

...For the petitioner.

Review is sought on the order dated 14th July,
2021.

It is submitted that the petitioner was prevented
from appearing in view of incessant rain and
connectivity problem on the said date.

Although the petitioner ought to have sought
modification of the said order and a review may not be
strictly maintainable, the application is taken up
without insisting on procedure.

The writ petitioner complains that although an
FIR has been registered on 24th June, 2021, the same
does not appear to have taken into consideration the
text of the complaint of the petitioner. It is submitted
that the charges of grievous hurt and attempt to
murder as evident from the complaint of the petitioner
have not been included. It is also submitted that the
statement of the petitioner under Section 164 has not
yet been recorded.

In that view of the matter, the Officer-in-charge, Domjur Police Station shall, keeping the aforesaid in mind, complete investigation and final report may be submitted before the jurisdictional Magistrate within a period of one month from date mandatorily and positively.

All the requirements under the Code of Criminal Procedure, particularly Section 164 thereof shall be completed as expeditiously as possible.

A copy of the final report be made available to the writ petitioner. The petitioner may take appropriate steps, if so advised, against the final report under Section 173 of the Code of Criminal Procedure.

With the aforesaid observations, the review application shall stand disposed of.

In view of the disposal of the main review application, the connected application being CAN 1 of 2021 shall also stand disposed of.

There will be no order as to costs.

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

(Rajasekhar Mantha, J.)

