

24.11.2021
Court No.13
Item No.50
AP

WPA 16862 of 2021

Tania Parvin
Vs.
State of West Bengal and Ors.

(Through Video Conference)

Mr. Samim Ahammed
Mr. Arka Maiti
Ms. Gulsanwara Pervin

... For the Petitioners.

Mr. Amitesh Banerjee, Senior Advocate
Ms. Ipsita Banerjee

... For the State.

Mr. Sabir Ahmed
Mr. Tasnim Ahmed

... For the Respondent Nos.21, 22 and 23.

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

It is submitted that the investigation in Sonarpur
Police Station case No.629/2021 dated 3rd August, 2021
cannot be impartial in view of the fact that the allegations
have been made against some of the officials of the
Sonarpur Police Station.

This Court has heard the learned advocate for the
writ petitioner as also Mr. Amitesh Banerjee, learned
senior advocate appearing for the State at length.

Without narrating the facts in detail this court is of
the view that interest of justice would be served if the
investigation is transferred by the Superintendent of
Police, Baruipur Police District to an independent officer of
sufficient experience in Baruipur Police District or even
outside.

Once investigation is transferred it is expected that the same would be completed as expeditiously as possible preferably within a period of 45 days from such transfer.

Needless to mention that the investigation shall be done impartially after giving due consideration to the complaint of the writ petitioner.

The transferee-investigating officer shall be entitled to either rely upon the existing evidence and/or conduct an independent investigation afresh.

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

Supplementary affidavit filed by the writ petitioner is taken on record.

Since the respondents have not used any affidavit, the allegations made in this writ petition shall not be deemed to have been admitted by them.

There shall be no other 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.)