

Form No. J(2)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

Present:
The Hon'ble Justice Jay Sengupta

WPA 17463 of 2021

AYASHA JULEKHA MONDAL
Vs.
STATE OF WEST BENGAL & ORS.

For the Petitioner : Mr. Arunava Ganguly
Mr. Sani Hossain

For the State : Mr. Jahar Datta
Mr. Ram Mohan Pal
Mr. Lal Mohan Basu

Heard on : 3rd November 2021

Judgment on : 3rd November 2021

The Court:

This is an application challenging police inaction in respect of a case started by the victim / petitioner.

Affidavit of service filed on behalf of the petitioner is taken on record.

A report as filed on behalf of the State is also taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The accused committed assault on the victim and attempted to ravish the petitioner.

Accordingly, a First Information Report was lodged on 01.10.2021. However, the investigation has not been completed as yet and no discernible steps have been taken by the Investigating Agency in this regard.

Learned counsel appearing on behalf of the State relies on the report filed and submits as follows. Investigation is going on in this case in full swing. Except for one, all the other accused were arrested. One accused is, however, absconding and attempts are being made to apprehend him. There is no inaction or negligence whatsoever in conducting investigation in this case, which is proceeding smoothly. In due course, a report would be submitted.

I have heard the submissions of the learned counsels for the appearing parties and have perused the writ petition and the report filed by the State.

It appears that after institution of the case, the police has started investigating the same and arrested some accused.

According to the Investigating agency, the investigation is being duly carried on.

I find no material to indicate that there is any negligence or police inaction, as alleged by the petitioner or at all, on the part of the Investigating Agency in conducting the investigation in this case.

Accordingly, I find no merit in this writ petition and the same is dismissed.

There shall, however, be no order as to costs.

However, the respondent authorities shall carry on the investigation properly and take to its logical conclusion at the earliest.

With these observations, the writ petition is disposed of.

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

(JAY SENGUPTA,J)

SB/PM