

09.03.2021

Item no. 06

Aloke/AP

(Through Video Conference)

WPA 17360 of 2018

Shree Sanjit Rajak

Vs.

The State of West Bengal & Ors.

Mr. Anil Kumar Chattopadhyay, Adv.

... For the Petitioner

Mr. Rana Mukherjee, APP

Mr. Narayan Prasad Agarwal, adv.

... For the State

We have heard the learned counsel for the petitioner and the State.

The complaint of the petitioner is that his son, Akash Rajak, is missing from sometime in 2017 and that there is inadequate response by the police in spite of a complaint. We see from the material papers including the report of the police that the petitioner had named few persons who had allegedly threatened to do away with Akash Rajak.

The police investigation has disclosed through the different reports show, inter alia, that they have a definite version of Akash Rajak, being involved with a female who in turn apparently, allegedly, is also maintaining certain relationship with another person or other persons. The police has registered a complaint as Sankrail P.S. Case No. 838 of 2018 dated 27.11.2018 under Sections 363/365/34 of the Indian Penal Code and Sub-Inspector Dibakar Mondal has been entrusted with the case for investigation.

The fact that investigation proceeding in that case is part of the contents of the report submitted to this Court by Tanmoy Bhattacharjee, Officer-in-

Charge, Sankrail P.S. on 29.11.2018. We do not see why that investigation should linger.

Merely because the petitioner's son yet to be traced, we are not inclined to think that this is a fit case where this Court, in exercise of its extraordinary jurisdiction under Article 226 of the Constitution of India, to direct the Central Bureau of Investigation or any other special agency to carry forward the course of investigation either by registering of a fresh case or otherwise. For the ends of justice the investigation stated to be carried on with requisite vigil and vigor on the basis of the aforementioned police case and a final report in that regard shall be filed before the jurisdictional criminal court within a period of six months from now.

This writ petition is ordered accordingly.

The writ petition is accordingly disposed of without prejudice to the contentions of any other persons in any proceedings that have already been started or may be started at any point of time in relation to the instant case.

[Thottathil B. Radhakrishnan, C.J]

[Aniruddha Roy, J.]