

ORDER SHEET  
WPO NO. 181 OF 2020  
IN THE HIGH COURT AT CALCUTTA  
Constitutional Writ Jurisdiction  
ORIGINAL SIDE

SUMAN ANAND  
Versus  
THE STATE OF WEST BENGAL & ORS.

BEFORE:  
The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA  
Date : 2<sup>nd</sup> February, 2021

Appearance :  
Ms. Poushali Banerjee,  
Adv., for the petitioner.

Mr. Amitesh Banerjee, Sr. Adv.,  
Mrs. Ipsita Banerjee, Adv., for the State.

The Court : The writ petition has been filed by an alleged victim of unlawful activity on the part of the private respondent who, allegedly posing as a doctor holding a particular degree, treated the petitioner, despite not being so qualified and took indecent photographs of the petitioner. Complaint was lodged on such score with the police authorities but allegedly to no effect.

The report filed by the police authorities on the last occasion indicates that sufficient steps have been taken by the police to ascertain the veracity and acceptability of the degree possessed by the doctor in question. Further enquiry is ongoing in that regard.

However, the investigation regarding the other part of the allegation, as regards taking indecent photographs, is not progressing since the petitioner (victim) has not yet come forward to give her statement under Section 164 of the Criminal Procedure Code.

Learned Counsel appearing for the petitioner submits that the victim could not present herself due to medical exigencies in her family and will do so at the earliest.

It appears from the materials already on record that the police are taking sufficient steps with regard to the allegations of the petitioner. Now it is for the victim to present herself before the police for her statement under Section 164 of the Criminal Procedure Code being recorded. Hence, no practical purpose would be served in keeping the writ petition pending.

Accordingly, WPO 181 of 2020 is disposed of by directing the respondent authorities to record the statement of the victim under Section 164 of the Criminal Procedure Code as and when she presents herself before the police for such purpose and, thereafter, to make all endeavour to expedite the investigation into the complaint.

No order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance of all requisite formalities.

(SABYASACHI BHATTACHARYYA, J.)