

01-03-2022

ct no. 13

Sl.6
pk

WPA 594 of 2022

Ankana Moitra

Vs.

State of West Bengal and others

(Via Video Conference)

Mr. Manabendra Bandyopadhyay
... for the petitioner.

Ms. Chaitali Bhattacharyya,
Mr. Kartik Chandra Kapas
... for the State.

Mr. Shiv Shankar Banerjee,
Ms. Sohini Adhikary,
Ms. Sanchita Barman Roy
... for the respondent nos. 4 and 5.

The writ petitioner has a two fold prayer.
First is one for custody and access to the child,
who is presently with the private
respondent/father. Proceedings under the
Guardians and Wards Act are pending and in
proceedings for divorce and visitation rights of
the child has been produced.

This Court, therefore, sees no reason to
entertain such prayer in these circumstances.

Secondly, the writ petitioner is aggrieved
by inaction insofar as the FIR No. 320 of 2021
dated 14.12.2021 of the Bidhannagar Police
Station.

Counsel for the State submits that the statement under Section 161 of the Cr.P.C. have been recorded. Statements under Section 164 have not been recorded as yet. The progress of investigation is unsatisfactory.

In that view of the matter, the Bidhannagar Police Station shall complete the investigation into the FIR and file final report before the Jurisdictional Magistrate within a period of two months from date.

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

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

There shall be no order 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.)