

16.02.2022
Court No.13
Item No.28
AP

WPA 1678 of 2022

**Souvik Dey @ Souvik Kumar Dey
Vs.
The State of West Bengal and Ors.**

(Through Video Conference)

Mr. Sabyasachi Mukherjee
Mr. Bibek Dey
Mr. Mukesh Khanna
Ms. Debarati Choudhury

... For the Petitioner.

Mr. Asish Kumar Guha
Mr. Naren Ghosh Dastidar

... For the State.

The writ petitioner is aggrieved by an alleged inaction on the part of the Muchipara Police Station and Cyber P.S., Kolkata Police in dealing with his complaint in Muchipara Police Station being Muchipara Police Station Case No.250/21 dated 5th December 2021 under Sections 420/120B of the IPC. Based on a further complaint of the writ petitioner at Cyber P.S., Kolkata Police dated 17th January 2022 investigation has commenced.

The report of the Cyber P.S., Kolkata Police does not indicate the process of such investigation.

The writ petitioner complains that he has not been served notice under Section 91 of the Cr.P.C. till date. It is also submitted that the statements under Section 164 of the Cr.P.C. have not been recorded.

This Court notes with anguish the slow pace of investigation.

It is ordered that the Muchipara Police Station and the Cyber P.S., Kolkata Police will complete investigation and submit an appropriate final report before the concerned jurisdictional magistrate within a period of 45 days from date.

The police shall be entitled to add any further sections to the FIR particularly those of the Information Technology Act.

The writ petitioner shall cooperate with the investigation. With the observation, the writ petition is disposed of.

There shall be no order as to costs.

The report dated 11th February 2022 of the Officer-in-Charge, Cyber P.S., Kolkata Police and the report dated 9th February 2022 of the Officer-in-Charge, Muchipara Police Station are taken on record.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)