

22.03.2022

Sl. No. 26

Court No.13

B.M.

WPA 3481 of 2022

Anushka Pandey

Vs.

The State of West Bengal & Ors.

(Via Video Conference)

Mr. Subhabrata Chowdhury

Ms. Tripti Pandey

Mr. Biswajit Goswami

Mr. Rohit Prasad ... for the petitioner

Mr. A. Ray, learned GP

Mr. Debasish Ghosh

Mr. Nilotpall Chatterjee ... for the State

The Commissioner of Police, Howrah, Mr. C. Sudhakar has filed a comprehensive report. The report be kept with the record.

It appears that after intervention by the Commissioner, two of the accused have been apprehended. One accused, namely, Syed Huzaifa Ahmed was apprehended few days ago, while the other accused, Ankit Singh has been apprehended today.

The report of the Commissioner is clear and explicit and confirms the apprehensions expressed by this Court on 15th March, 2022 that the investigation in a matter of such seriousness has been rather tardy. Be that as it may, the investigation is now on track.

Counsel for the petitioner has filed supplementary affidavit, copy whereof has been handed over to the Government Pleader, Mr. Ray.

The allegations of further threats received by the victim as disclosed in the supplementary affidavit shall be duly addressed in the investigation report.

The investigating officer looking into the two aforesaid FIRs shall take any and every necessary material from the supplementary affidavit at the time of filing of the final report before the jurisdictional Magistrate.

The Court notes in no uncertain terms that the investigation by the Golabari Police Station and Cyber Crime Police Station has been rather tardy from the inception and up until intervention of the Commissioner.

The Commissioner of Police, Howrah, Mr. C. Sudhakar is directed to look into the manner in which the investigation has been conducted and take appropriate steps including the departmental proceeding against the concerned officials, having regard to the decision of the Supreme Court in the case of **Lalita Kumar v. Government of U.P & Ors.** reported in (2008) **7 SCC 164** and **PP Unnikrishnan & Ors. v. Puttiyottil Alikutty & Ors.** reported in **AIR 2000 SC 2952**.

The investigations are expected to be completed within a month from date.

The Commissioner of Police, Howrah is directed to continue to monitor crimes of this nature, or to depute at least an Assistant Commissioner of Police for such purposes, as has been done in the instant case.

With the aforesaid observations the writ petition is disposed of.

(Rajasekhar Mantha, J.)