

S/L 109
06.06.2022
Court. No. 19
GB

WPA 4395 of 2022

Rajdip Das
VS
The State of West Bengal & Ors.

*Mr. Udaynarayan Betal,
Mr. Dhananjoy Banerjee,
Mr. Mriganka Patra.*

...for the Petitioner.

*Mr. Santanu Mitra,
Ms. Jyotsna Roy Mukherjee.*

...for the State.

None appears on behalf of any of the respondents, despite service.

Affidavit-of-service filed in Court today, be kept with the record.

The petitioner is a minor and represented by his father. Allegation is that the Officer-in-Charge, Ghola Police Station has failed and neglected to conclude the investigation, although the FIR was registered on February 27, 2022. The petitioner is the minor son of the deceased, Smt. Aparna Das.

It is the specific case of the petitioner that the FIR named accused persons as also the ASI, Raju Mistri attached to the Ghola Police Station, had mentally and physically tortured the mother of the petitioner, as she was forced to commit suicide. A suicide note has also been relied upon.

SI of Police, Apurba Kuti was designated as the Investigating Officer in this case. Ghola P.S. Case No.116 of 2022 was initiated on the basis of the complaint filed by the petitioner. The SI of Police, Apurba Kuti by a letter dated

March 4, 2022 requested the petitioner to meet the Investigating Officer with all relevant documents, name of witnesses and any other evidences, etc. He was also requested to co-operate.

Under such circumstances, as the police authorities have already initiated an investigation, this court directs that the said investigation must be reached to its logical conclusion expeditiously and in accordance with law, without unnecessarily harassing the petitioner. The allegations are serious in nature. The petitioner has lost his mother. Thus, the police authorities are duty bound to complete the investigation in a free and fair manner and file the report before the appropriate forum at the end of such investigation. The contentions of the petitioner and the allegation of the crime, are not dealt with by this Court as it is for the investigating agency to come to a conclusion with regard to the same.

It is made clear that the police authorities shall not be influenced in any manner during the investigation, especially because there is an allegation against the ASI, Raju Mistri, who is also an FIR named accused and is allegedly attached to the same police station.

The petitioner and the father of the petitioner are directed to co-operate with the investigating agency.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)