

S/L 48
13.6. 2022
Court. No. 19
sn

WPA 5039 of 2022

Montu Kumar Roy
Vs.
The State of West Bengal & Ors.

Mr. P.S. Mondal
Mr. Chittaranjan Saha
... for the Petitioner

Mr. Suman Sengupta
Mr. Saiket Chatterjee *... for the State.*

This writ petition has been filed by the father of the victim, who was found dead. A complaint was lodged against the respondent nos.5 to 8. The police authorities have filed a report, from which it appears that Gangnapur Police Station Case No. 43 of 2022 dated February 12, 2022 under Section 306/417/376/34 of the Indian Penal Code had been initiated. The investigation was completed and a charge sheet has been filed.

It is submitted that the police authorities have also prayed before the learned Magistrate for issuance of warrant of arrest. It is submitted that the respondent nos. 5 to 7 were granted anticipatory bail by this Court on May 10, 2022. However, the respondent no.8 has not yet approached this Court seeking an order for grant of anticipatory bail.

Under such circumstances, this Court finds that there has been no inaction on the part of the police authorities.

Records reveal that the respondent no.5 is an employee of the B.S.F. and serving at Haryana, Gurugram.

The police report is taken on record.

However, if further complaint of commission of any cognizable offence is filed, the police authorities shall act and proceed strictly in accordance with law. This Court has not decided the merits of the claim of the petitioner.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

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

(Shampa Sarkar, J.)