

S/L 12
24.06.2022
Court. No. 19
GB

WPA 10008 of 2022

Israfil @ Esrul Rahaman
VS
The State of West Bengal & Ors.

Mr. Subrata Ghosh.

...for the Petitioner.

*Mr. Ansar Mondal,
Mr. Suprabhat Bhattacharya.*

...for the State.

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

The petitioner is aggrieved by an order dated September 9, 2021, passed by the learned Judge, Special Court and ADJ 2nd Court, Malda in POCSO Case No.87 of 2015. The petitioner is aggrieved by the direction of the learned Judge upon the I.C., Gazol Police Station, to cause a further and proper investigation through a competent officer. The reason for such direction has been recorded in the order itself.

It is the further contention of the petitioner that the parties are happily married and they are residing together. He referred to the Final Report filed by the police authorities, inter alia, stating that no foul play had been detected.

This Court is of the view that a judicial order cannot be interfered with by a writ court. The remedy of the petitioner would be to file an appropriate proceeding before the appropriate court, in accordance with law.

The police report, filed in court today, is taken on record.

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.)