

8.7.2022
Court No. 19
Item no.6
sn

WPA No. 10377 of 2022

Limpa Mandal
Vs.
The State of West Bengal & ors.

Mr. A.K. Biswas
Mr. Amit Singh
Ms. Jyoti Agarwal for the petitioner

Mr. Samrat Sen
Ms. Manali Ali ..for the State

Mr. Amarul Islam
Mr. Sourav Mukherjee ..for the respdt.no.10

This writ petition has been filed with the allegation that the Sub-Inspector of Police, Karimpur Police Station Case No.58 of 2022, had not conducted the investigation impartially. The petitioner prays for transfer of the investigation to some other agency.

According to the petitioner, although the case was registered under Sections 467/468/471/306/34 of the Indian Penal Code, the Charge-Sheet was sought to be filed under Sections 306/34 of the Indian Penal Code. According to the petitioner, the learned Division Bench had granted bail only on the ground that from the Charge-Sheet, the allegation of forgery could not be substantiated.

It is the specific contention of the petitioner that the erstwhile investigating officer acted in collusion with the respondent nos.10&11 and had

prepared the Charge-Sheet. The investigation was concluded in a casual manner and a deeper probe would be necessary.

The petitioner had filed a Naraji petition before the learned Jurisdictional Magistrate. It is submitted by the petitioner, that reinvestigation has already been directed by the learned Magistrate.

Under such circumstance, this Court is of the view that the reinvestigation shall be conducted by some other police personnel of the concerned police station, but not the respondent No. 9. This order is subject any further order that may be passed by any other competent forum.

The superintendent of the Police shall supervise such investigation. After completion of the investigation, the police authority shall take appropriate steps, in accordance with law.

This writ petition is disposed of.

There will be, however, 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.)