

July 22, 2022
Sl. No. A 169
Court No.19
s.biswas

WPA 12725 of 2022

Lila Parvin

vs.

The State of West Bengal and others

Mr. Ramdulal Manna,
Ms. Manju Manna (Dey),
Mr. Sayan Mukherjee, Advocates

... for the petitioner

Mr. Md. Galib,
Mr. Gourav Das, Advocates

... for the State

The petitioner alleges that the police authorities have not taken appropriate steps to investigate into the complaint lodged by the petitioner.

According to the petitioner, Gazole Police Station Case No.336 of 2022 dated 12th May, 2022 was initiated under Sections 363 and 365 of the Indian Penal Code. Although the victim stated before the learned Magistrate that she was raped, section 376 of the IPC had not been incorporated in the First Information Report. It is further submitted that the medical test of the victim was not conducted.

The police report along with the relevant papers and the skeleton case diary, have been produced before this Court.

The part of the case diary and the instructions are taken on record.

It appears from the statement of the victim girl before the learned Magistrate that there was no allegation of rape. A lady constable along with a lady civic police had taken the victim for medical examination at the

Gazole Rural Hospital, but the victim and her relatives refused medical examination.

The police report reveals that after the statement under Section 164 of the Criminal Procedure Code had been recorded, the victim girl was handed over to the Child Welfare Committee, by the police authorities.

Under such circumstances, no further order can be passed save and except that the police authorities must conclude the investigation in a free and fair manner.

The observations in this order are restricted to the disposal of the writ petition.

The writ petition is, thus, disposed of.

There will be no order as to costs.

All the parties shall act on the server copy of this order.

(Shampa Sarkar, J.)