

14.11.2022.
Court No.13
Item No. 245
ap

W.P.A. No. 13804 of 2021

**Asha Devi Modi
Versus
The State of West Bengal & Ors.**

Mr. Jayanta Narayan Chatterjee,
Ms. Moumita Pandit,
Ms. Nandini Chatterjee,
Mr. Supreme Naskar,
Ms. Jayashree Patra,
Ms. Sreeparna Ghosh,
Ms. Ritushree Banerjee,
Ms. Pritha Sinha,
Ms. Dipanwita Das.

...For the petitioner.

Mr. Ashim Kumar Ganguly,
Ms. Karabi Roy.

...For the State.

Affidavit-of-service filed in Court today be taken
on record.

The writ petitioner is aggrieved by the alleged
inaction on the part of Manicktala Police Station in
respect of FIR No. 98 of 2021 dated 12.05.2021 under
Sections 306/34 of the Indian Penal Code.

It appears from the instructions of Manicktala
Police Station dated 13th November, 2022 that one
Prasenjit Bandha was the Investigating Officer, who
after collecting the materials had placed a draft report
before the Deputy Commissioner of Police. The report
was rejected and further investigation is on. A new IO
is investigating the case.

This Court notices with concern that the
investigation into a matter, which is nearly 16 months
old, has not been completed till date.

It is, therefore, ordered that the investigation into the said FIR No. 98 of 2021 dated 12.05.2021 is completed mandatorily and positively within two months from date of passing of this order.

All necessary statements of 164 CrPC of the petitioner may be recorded. Although not stated in the writ petition, the petitioner submits that she has left Calcutta, being afraid to live alone.

In the event of any threat or fear or apprehension on the part of the petitioner, she may immediately contact the Officer-in-charge, Manicktala Police Station, who shall render necessary help to the petitioner. The investigation shall be continued to be monitored by the Deputy Commissioner of Police.

With the aforesaid observations, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)