

S/L 33
5.7.2022
Court. No. 19
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WPA 16099 of 2021

Raave Nagwanshi
Vs.
The State of West Bengal & Ors.

Mr. Arindam Sen
Mr. Neil Ganguly ... for the petitioner

Mr. Amitesh Banerjee
Mr. S. Dhar ..for the State

The petitioner had alleged that the Officer-in-Charge, Rajarhat Police Station had failed and neglected to take steps with regard to the investigation of Rajarhat Police Station Case No. 166 of 2021. Reference was made to the order passed by the learned Chief Judicial Magistrate, Barasat by which the Officer-in-Charge, Rajarhat Police Station was directed to file a status report with regard to the investigation. Such report was not filed. Hence, challenging inaction and inordinate delay with regard to the aforementioned investigation, the petitioner moved this Court.

Initially, the Court had, prima facie, reason to entertain this writ petition and had directed the Deputy Commissioner of Police, Bidhannagar Commissionerate, to ensure that the Office-in-Charge, Rajarhat Police Station is present before this Court with a report.

Today, Mr. Jamal Hossain, Inspector, Rajarhat Police Station is present before this Court along with a copy of the Case Diary.

It is submitted by the learned senior standing counsel, that the problem arose as the investigating officer passed away on October 20, 2021 and follow up action was not taken by the concerned Inspector in Charge in the manner, as was required.

It also appears from the Case Diary that the investigation was completed and Charge Sheet no. 213 of 2021 dated August 31, 2021 under Sections 448/506/509/34 of the Indian Penal Code was submitted before the learned Chief Judicial Magistrate, Barasat on September 25, 2021.

It is specifically contended by Mr. Banerjee that the Charge Sheet would be available in the court records, as the same had already been filed before the learned Court below.

Under such circumstances, this writ petition is disposed of .

The petitioner shall be at liberty to approach the learned jurisdictional Magistrate, in accordance with law.

The personal appearance of the Inspector in Charge, Rajarhat Police Station is dispensed with.

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.)