

18.01.2022
Court No.13
Item No.26
AP

WPA 18187 of 2021

**Shweta Bhattacharjee
Vs.
State of West Bengal and Ors.**

(Through Video Conference)

Mr. Moyukh Mukherjee
Mr. Abhijit Singh
Mr. Shakti Halder
Mr. Suvasis Saha

... For the Petitioner.

Ms. Chama Mukherjee
Mr. Siraj Gooptu

... For the State.

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

The writ petitioner is aggrieved by the fact that notwithstanding FIR No.399/2021 dated 14th June 2021 registered by the Titagarh Police Station under Sections 376 and 417 of the Indian Penal Code the investigation has not completed.

Learned counsel for the State has produced a report in the form of instructions issued by the Officer-in-Charge, Titagarh Police Station dated 22nd November 2021 addressed to the learned Government Pleader and the same is taken on record.

Learned counsel for the State submits that the statements under Sections 164 and 161 of the Code of Criminal Procedure have been recorded. The accused is not traceable. Enquiries are being made through the army at various cantonments and the last information is that

the accused is available at the Mathura Cantonment, Uttar Pradesh. Steps are being taken to bring the accused under the investigation.

This Court is of the view that the steps for the purpose of enforcement of the attendance of the accused in the investigation must be initiated immediately inter alia in the nature of arrest, attachment and proclamation. Orders of arrest being communicated to the army would yield quick results.

This Court directs the investigating officer of the Titagarh Police Station to complete the investigation within a period of one month from the communication of a copy of this order and submit a final report with the jurisdictional Magistrate.

With the aforesaid observations, the writ petition is disposed of.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)