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18.04.2022
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**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

W.P.A 783 of 2022

**Smt. Sarmistha Dutta
-versus
State of West Bengal and others**

Mr. Sandip Mandal
Mr. Abhilash Mittal

...For the Petitioner.

Mr. Subir Kumar Saha
Mr. Momenur Rahman

...For the State.

The grievance of the petitioner is directed against the inaction of the police authorities pursuant to complaints made by the petitioner to the Superintendent of Police, Cooch Behar on 4th April, 2022.

Learned counsel submits that the police authorities have intentionally not taken any steps against the respondent no. 4 (private respondent), since the respondent no.4 is a Special Public Prosecutor who handles customs cases, as recorded in the order of the Sessions Judge, Cooch Behar dated 24th September, 2021.

Learned counsel appearing for the State hands up a bunch of documents containing letter from the SI, Investigating Officer, Kotwali Police

Station to the Chief Judicial Magistrate, Cooch Behar dated 14th April, 2022 which shows that the case has been investigated and relevant materials have been seized by the Investigating Officer.

The document also shows that the respondent no.4 has been absconding and attempts to arrest him were unsuccessful. The CJM has accordingly been requested to issue necessary order for warrant of arrest against the respondent no.4.

Upon considering this document, this court is of the view that effective steps have already been taken by the police authorities and it is now up to the CJM, Cooch Behar to follow up with the warrant of arrest.

Nothing further hence remains to be decided in this writ petition which is accordingly disposed of in terms of the order.

W.P.A. 783 of 2022 is accordingly disposed of in terms of the above.

(Moushumi Bhattacharya, J.)