

10.04.2023.  
Court No.13  
Item No. 14  
ap

**W.P.A. No. 2282 of 2023**  
**Suman Shaw**  
**Versus**  
**The State of West Bengal & Ors.**

Mr. Wasim Reza.  
...For the petitioner.  
Mr. Amitesh Banerjee,  
Mr. Tarak Karan.  
...For the State.  
Mr. Soumya Basu Roy Chudhuri,  
Mr. Sarbananda Sanyal.  
...For the respondent no.5.

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

The petitioner complains of inaction on the part of Malipanchghora Police Station in carrying out investigation into FIR No. 14 of 2023 dated 20<sup>th</sup> January, 2023 under Sections 448/323/376/506 of the Indian Penal Code.

Police submits that investigation has progressed substantially and the petitioner has not offered herself for medical examination or recording statement under Section 164 of the Code of Criminal Procedure.

The report of the Inspector-in-charge, Malipanchghora Police Station dated 11<sup>th</sup> February, 2023 filed in Court today also kept on record.

It appears from the report of the police that two earlier complaints have been registered as FIR and the police could not find evidence in the first FIR being No.

398 of 2015. It further appears therefrom that there is a charge-sheet filed and the private respondent has been acquitted in the matter. It also appears therefrom that there is also civil suit pending between the petitioner and the private respondent for possession of certain property.

The police are directed to complete investigation into the subject FIR as expeditiously as possible, preferably within a period of one month from date mandatorily and positively.

This Court is surprised that the pendency of the writ petition has prompted the concerned District Judge not to entertain the private respondent's application under Section 482 of the Code of Criminal Procedure. In the event a fresh application is filed, the concerned District Judge may consider the same in accordance with law.

With the aforesaid directions, 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.)**