

23-02-2023
ct no. 13
Sl.4
sp

WPA 1938 of 2019
With
CAN 1 of 2022
Sri Kalyan Krishna Nandi
-Versus-

The State of West Bengal & Ors.

Mr. Kalyan Krishna Nandi
... the petitioner (in person)

CAN 1 of 2022

Sufficient grounds are available to explain the absence of the writ petitioner on February 20, 2019.

The order dated February 20, 2019 is recalled. The writ petition is restored to its original file and number.

Accordingly, CAN 1 of 2022 is allowed and disposed of.

WPA No. 1938 of 2019

Despite service of notice, the private respondents are not represented.

Affidavit of service filed in Court today is taken on record.

The petitioner's grievance is that his complaint dated January 8, 2019 has not been

taken into cognizance by the Naihati Police Station under Barrackpore Police Commissionerate. The petitioner has also lodged a complaint to the Commissioner of Police, Barrackpore.

The Naihati Police Station has filed a report dated February 17, 2023, which is taken on record.

It appears from the said report that there are two complaints of the private respondents against the petitioner have been registered as FIRs being Barrackpore Women P.S. Charge Sheet No. 40/15 dated 30.06.2015 under Sections 498A/406/506/34 of the IPC and Barrackpore Women P.S. Charge Sheet No. 126/16 dated 16.12.2016 under Sections 420/468/471/120B of the IPC. There is also a matrimonial suit being MAT Suit No. 6/18 and Maintenance Case No. 521/2016 pending before the ld. 3rd J.M., Barrackpore, North 24 Parganas and the ADJ, Barasat.

Having considered the matter, the Barrackpore Station, Barrackpore Police Commissionerate is directed to register the petitioner's complaint as FIR and conduct investigation and file a final report before the Jurisdictional Magistrate, within a period of 3 months from date.

With the aforesaid observations, the instant writ petition shall stand 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.)