

18.04.2023
Court No.13
Item No.7
AP

WPA 4145 of 2023

**Nazia Elahi Khan
Vs.
State of West Bengal and Ors.**

Mr. Ranojoy Chatterjee
Ms. P. Bhattacharjee

... For the Petitioner.

Mr. Debasish Ghosh

... For the State.

1. The petitioner is aggrieved by the fact that investigation into the Park Street Police Station Case No.138 dated 8th October, 2022 under sections 323, 506 of the IPC and section 8 of the POCSO Act has not been completed till date. The victim complained that her father had ravished her since she was nine years old and continued to do so till the age of 19.

2. Counsel for the State, Mr. Ghosh, submits on behalf of the Park Street Police Station that the investigation is on the verge of completion and requires four weeks time to complete.

3. This Court makes it absolutely clear that the Park Street Police shall be entitled to include any other relevant sections of the IPC or any other statute in the final report without reference to the Magistrate concerned.

4. Let the investigation be completed within the time frame proposed by the police, hereinabove.

5. Let a copy of the final report be made available to the counsel for the petitioner.

6. Since the petitioner complains of continued threat from the relatives of the victim's father, the Park Street Police shall depute two constables outside the petitioner's residence for a period of three days.

7. In the event of any further complaint of any threat or intimidation from the petitioner and/or the victim, appropriate and adequate measures shall be immediately taken by the Park Street Police Station after due assessment and inquiry.

8. If the private respondent is on bail, depending on any complaint or further complaint from the petitioner or the victim girl, appropriate measures shall be taken by the police to seek cancellation of the bail of the private respondent.

9. With the aforesaid directions, the writ petition shall stand disposed of.

10. There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)