

21.03.2023
Court No.13
Item No.18
AP

WPA 4493 of 2023

**Manju Halder
Vs.
The State of West Bengal and Ors.**

Mr. Sabyasachi Mukherjee
Ms. Debarati Choudhury
Mr. Bibek Dey
Mr. Mukesh Khanna
Mr. Syed Neaz Ahmead

... For the petitioner.

Mr. Sk. Md. Galib
Ms. Jyotsna Roy

... For the State.

The petitioner is aggrieved by FIR being Rabindra Sarobar Police Station Case No.152 dated 17.10.2022. She complains that section 354 of the IPC ought to have been added in the FIR.

Learned counsel for the State submits that civil proceedings is pending between the petitioner/landlord and the private respondents/tenants. There are disputes with regard to the property subsisting between the parties.

Learned counsel for the State has produced a report in the form of instructions dated 13th March, 2023 issued by the Officer-in-Charge, Rabindra Sarobar Police Station addressed to the learned State Advocate and the same is taken on record.

It appears from the report that investigation has been completed into the FIR and charge sheet has been filed in the matter.

Instructions of the Rabindra Sarobar Police Station are extremely vague. Charge sheet number and date are not mentioned. Rabindra Sarobar Police Station shall bear in mind that instructions given to the State Government must be comprehensive and not casual. This conduct shall not be repeated by the Rabindra Sarobar Police.

The Officer-in-Charge, Rabindra Sarobar Police Station shall supply a copy of the charge sheet to the learned advocate-on-record of the petitioner by tomorrow mandatorily and positively.

The petitioner may take steps in accordance with law in that regard against the said charge sheet.

With the aforesaid directions, the 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.)