

22-02-2023

ct no. 13

Sl.11

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WPA 9157 of 2022
With
IA No. CAN 1 of 2022
Sima Tiwari
-Versus-

The State of West Bengal & Ors.

Mr. Sourav Chatterjee,
Mr. Avik Ghatak
Ms. Afreen Begum

....for the petitioner

Mr. Kallol Basu,
Mr. Subrata Bhattacharya,
Mr. Suddhadev Adak

...for the respondent nos. 12 to 15

Mr. Indranuj Dutta,
Mr. Asmanur Quail,
Mr. Bikram Basak

..for the intervenors

Mr. Bratim Kumar Chatterjee, Senior Law Officer of the office of the District Magistrate, Paschim Bardhaman, who represented the District Magistrate's office on the last occasion on January 30, 2023, is also present in Court today.

The Investigating Officer SI Ajit Kr. Kundu, Durgapur Police Station, Asansol Durgapur Police Commissionerate has submitted a report dated February 22, 2023, which is taken on record.

It appears from the report that Durgapur PS FR No. 66/23 dated 17.02.2023 has been filed and a copy has been sent through registered post to Mr. Vijai Kumar Tiwari, the husband of the petitioner.

In view of the above, the petitioner may take steps as available under Section 173(8) of the Cr. P.C. The prayer for transfer of investigation to a third party is not considered at this stage.

With the aforesaid observations, the instant writ petition along with CAN 1 of 2022 shall stand disposed of.

Since the respondents have not been called upon to use any affidavit-in-opposition, the allegations made in the writ petition against them shall not be deemed to have been admitted.

There shall be no order as to costs.

The exception to the report of the police authority and exception to the report of the District Magistrate, Paschim Bardhaman, in the form of an affidavit filed by the petitioner, are kept with the record.

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

(Rajasekhar Mantha, J.)