

18.05.2023.
Court No.13
Item No. 6
ap

W.P.A. No. 10850 of 2023

**Megha Pal
Versus
The State of West Bengal & Ors.**

Mr. Niladri Sekhar Ghosh,
Mr. Sourav Mondal.

...For the petitioner.

Mr. Nilotpal Chatterjee,
Ms. Amrita Panja Moulick.

...For the State.

Mr. Tapas Kumar Ghose,
Mr. Tanmay Choudhury.

...For the respondent no.6.

1. The petitioner is aggrieved by the investigation into FIR No. 217 of 2023 dated 8th April, 2023. The petitioner is further aggrieved that the provisions of Information Technology Act have not been added in the FIR.
2. Counsel for the petitioner would submit before this Court that some objectionable pictures of his client have been circulated in the social media by the private respondent no.6.
3. The private respondent no.6 has been arrested and detained in custody. The Police shall take appropriate steps to ensure that all the said pictures are removed and/or deleted and shall not be available publicly or privately except for the investigation.
4. The Officer-in-charge, Khanakul Police Station has filed a detailed report as regards the investigation. The same is kept with the record. It appears that the

Investigating Officer is effectively investigating the matter.

5. However, in the special facts of the case it is ordered that a sufficiently senior lady officer must be nominated by the Superintendent of Police, Hooghly to supervise and/or take over the subject investigation.

6. The petitioner shall be informed by the newly appointed Investigating Officer (IO) of the case as to when she should meet her.

7. It is expected that the investigation is completed as expeditiously as possible, preferably within a period of 45 days from date. The forensic laboratory shall expedite the submission of the report of the gadgets of the accused person seized by the police.

8. The petitioner assures this Court that she will co-operate in the investigation.

9. The guidelines issued by this Court for investigation into the offences relating to Information Technology Act shall be considered by the IO. Assistance of any other specialized agency may also be taken by the IO in the investigation. The IO shall consider adding Sections in the FIR, particularly, that of the Information Technology Act.

10. The parties shall communicate a copy of this order to the S.P., Hooghly.

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

12. There will be no order as to costs.

13. 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.)