

18-05-2023
ct no. 13
sl. 7
sp

WPA 10971 of 2023

Rama Rani Biswas @ Rama Biswas & Anr.

-Versus-

The State of West Bengal & Ors.

Mr. Arabinda Chatterjee, Id. Sr. Adv.,
Ms. Kakali Dutta

...for the petitioners

Sk. Md. Galib,
Mr. Gourav Das

...for the State

Mr. Tapash Kr. Dey,
Ms. Saswati Ghosh Sinha

...for the respondent nos. 4 and 5

1. The petitioners are aggrieved that the Nager Bazar Police Station has not lodged the FIR despite certain corrections from the ACJM, Barrackpore.
2. It is submitted by the counsel for the petitioners that the FIR being Nager Bazar Police Station Case No. 157 of 2023 dated May 5, 2023 under Sections 448/323/341/342/427/327/506 of the IPC has since been lodged.
3. It appears from the petitioners' complaint that the private respondents along with one Suman Nandi, SI, Nager Bazar Police Station are stated to have entered the petitioners' room and tried to break open the almirah.

4. It is submitted that said Suman Nandi has been nominated as Investigating Officer in the subject FIR.
5. Learned counsel for the State submits that the private respondents daughter-in-law and son have also complained against the petitioners. The daughter-in-law's complaint has been registered as FIR, inter alia, under Section 498A of the IPC and in the other complaint, proceedings under Section 107 of the Cr. P.C. have been drawn up against the petitioners.
6. The Officer-in-Charge, Nager Bazar Police Station shall nominate another Investigating Officer in place of Suman Nandi since his name is in the petitioners' complaint.
7. It is expected that the investigation into the subject FIR be completed as expeditiously as possible, preferably within a period of 2 months from date.
8. With the aforesaid observations, the instant writ petition shall stand disposed of.
9. There shall be no order as to costs.
10. The report of the Nager Bazar Police Station dated 10.05.2023 be kept with the record.

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

(Rajasekhar Mantha, J.)