

July 12, 2023
AD – 22
Ct. 34
SG

CRR 2009 of 2023
Sudip Ghosh
-versus-
The State of West Bengal

Md. Ashraf Ali

... for the petitioner.

Petitioner has challenged the proceedings arising out of Kotwali Police Station Case No.283 of 2023 dated 28.03.2023 under Sections 417/306 of IPC.

Mr. Ali, learned advocate for the petitioner has drawn the attention of the court to the contention of the FIR and submitted that prima facie, there are no allegations to bring the offence under Section 306 IPC. The crux of the allegations do not relate or satisfy the requirements of Section 107 IPC for initiation of the proceedings under Section 306 IPC.

Be that as it may, the investigation has commenced. The petitioner happens to be a father who has expressed the information available and the reason to believe why his daughter has committed suicide. There may be ample reasons which may at the end of investigation reflect the reason of such suicide. Whether any culpability is involved or not that is assessed to be by the investigating agency.

Certain whatsapp messages have been relied upon by learned advocate for the petitioner claiming that the responsibility shifts to the complainant itself.

Petitioner would be at liberty to bring such document or information to the knowledge of the investigating officer so that he has arrived at a conclusion.

Without entering into the merits of the case, I grant liberty to the petitioner to approach this Court particularly after the report under Section 173 Cr.P.C. is filed by the investigating agency and the documents under Section 207 Cr.P.C. are supplied.

With the aforesaid observations, CRR 2009 of 2023 is disposed of.

Pending application, if any, is consequently disposed of.

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

Urgent certified copy of this order, if applied for, be supplied to the parties upon compliance of such requisite formalities.

(Tirthankar Ghosh, J.)

