

16-06-2023
ct no. 13
sl. no. 6
sp

WPA 13059 of 2023

Anirban Dutta

-Versus-

State of West Bengal & Ors.

Mr. Mohinnoor Rahaman,
Ms. Iqra Rahaman

...for the petitioner

Mr. Tarun Kumar Ghosh,
Ms. Suvasree Ghose

..for the State

Mr. Uday Sankar Chatterjee,
Mr. Suman Sankar Chatterjee,
Ms. Trisha Rakshit

...for the respondent no.5

1. The petitioner is aggrieved by alleged inaction on the part of the Shyampukur Police Station in dealing with his complaint against the private respondent.
2. The Shyampukur Police Station is represented. It is submitted that on June 9, 2023, an FIR being Shyampukur Police Station Case No. 52 dated 09.06.2023 under Sections 420/406 of the IPC has been registered.
3. Since, Sections 420 and 406 of the IPC are mutually exclusive, the Investigating Officer shall take necessary steps in this regard. The Investigating Officer shall also consider including Section 379 of the IPC in the subject FIR.

4. The petitioner may respond to the notice under Section 91 of the Cr. P.C. issued on June 15, 2023 and shall comply with the same within a period of 7 days from date.
5. The petitioner's grievances appear to have been addressed.
6. The investigation shall be expedited. Let the investigation into the subject FIR be completed within a period of 2 months from date.
7. With the aforesaid observations, the instant writ petition shall stand disposed of.
8. There shall be no order as to costs.
9. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)