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Ct 14

WPA 13381 of 2023

Babita Das Maity

-VS-

The State of West Bengal & ors.

Mr. Debasis Sur

Mr. Anujit Maity

Mrs. Sarama Maity

....for the petitioner

Mr. Tarak Karan

..for the State

Learned counsel appearing on behalf of the petitioner has alleged police inaction in respect of Patashpur Police Station Case No. 114 of 2023, *inter alia*, under Sections 326A, 341 and 376 of the Penal Code.

Learned counsel for the State submitted as follows. The fight between the adverse parties was a result of long standing property dispute between them. After necessary investigation, the police are of the *prima facie* view that no allegation under Sections 326A and 376 of the Penal Code could be sustained. Unlike what was claimed, the victim was not even admitted in a hospital. At least on three occasions, the police requested the petitioner to send the victim for medical examination. But, there was no co-operation from their end.

It appears that the victim is not interested to be

represented.

Let the Investigating Officer carry on investigation expeditiously in accordance with law.

The petitioner and the prime victim shall co-operate with the investigation of the case.

No further order need be passed.

With these observations, the writ petition is disposed of.

Urgent Photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)