

W.P.A. 13729 of 2023

Sufia Bibi
-versus
The State of West Bengal & Ors.

Ms. Cardina Roy.
...For the Petitioner.

Mr. Biswabrata Basu Mallick, Id. A.G.P.,
Mr. B. Halder.
... for the State

This is an application under Article 226 of the Constitution of India alleging police in action in respect of Karandighi Police Station case no. 24 dated 15th January, 2023 under Section 376(D) of the Indian Penal Code.

Report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner was allegedly subjected to an offence under Section 376(D) of the Indian Penal Code. Initially the police was reluctant in registering an FIR. However, after some time the FIR was registered. It is alleged that the police took no steps in trying to apprehend the accused persons being the respondent nos. 7 and 8.

Learned counsel appearing on behalf of the State relies on the report submitted as follows. Pursuant to a direction passed by this Court, a prayer was made by the Investing Agency to issue proclamation and in due course prayer would be made for issuance of attachment, if the accused are not apprehended by then. Efforts will continue to apprehend the accused persons.

I have heard the submissions of the learned counsels appearing on behalf of the parties and have perused the writ petition.

It appears that at least after an intervention by this Court, the Investigating Agency made a prayer for issuance of an order of proclamation against the accused persons.

Let necessary steps taken to apprehend the accused persons including issuance of attachment in the event proclamation failed.

As the immediate concern of the petitioner regarding police not trying to apprehend the accused persons is sufficiently addressed, no further order is to be passed in this regard.

Let the police investigate into the offences and submit a final report at the earliest.

With these observations, the writ petition is disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Jay Sengupta, J.)