

Ct. 14
Item No.86
25.07.2023
(Suvendu)

WPA 15680 of 2023

Firdosh Naaz
Vs.
The State of West Bengal & Ors.

Mr. Asok Banerjee
Mr. Subodh Banerjee
.....for the petitioner

Mr. Ranjan Saha
Mr. Durga Bhusan Mukhopadhyay
.....for the State

Mr. Tapas Maity
Mr. S. Dutta
.....for the respondent nos. 8 & 9

This is an application under Article 226 of the Constitution of India praying for a direction upon the respondent authorities to register a complaint against the accused in terms of the letter sent by the petitioner by post dated 13.06.2023 and to enquire into the complaint.

A further report filed on behalf of the State is taken on record.

Learned counsel appearing for the petitioner submits as follows. On 01.06.2023, the accused came to the house of the petitioner and proposed her stating that he liked her. The accused then pushed the petitioner so hard that she fell down on the ground. Another accused tried to set her on fire.

Somehow the petitioner could save herself. The petitioner approached the Police Station soon thereafter for recording an FIR. The same was not done. It was only on 04.07.2023 that the FIR was registered after a direction was passed under Section 156(3) of the Code. The prime accused is a Civic Volunteer. Yet, the police authorities could not apprehend any of them. The accused was constantly threatening the petitioner and her family members.

Learned counsel appearing for the private respondents denies all the allegations and submits that the present animus can be traced back to a civil dispute between the adverse parties.

Learned counsel appearing on behalf of the State relying on the report and Case Diary submits as follows. After registration of the FIR, the investigation is on and appropriate steps are being taken. To allay the fears of the petitioner about her security, a police picket has been set up near the house of the petitioner. The prime accused was arrested and the police are trying to look out for the other accused.

I have heard the learned counsels appearing on behalf of the parties and have perused the writ petition and the report filed by the State as well as the Case Diary.

It appears that the investigation is being conducted. The investigating officer is trying to take

appropriate steps. The prime accused has already been arrested and the police are ensuring security of the defacto complainant.

Therefore, there is no need to pass any further order in the matter.

However, the investigating agency shall conclude the investigation as expeditiously as possible in accordance with law.

The personal presence of the Investigating Officer is noted and is dispensed with.

With these observations, the writ petition is disposed of without any order as to costs.

Since no affidavit was called for, the allegations made in the writ petition are deemed not to have been admitted.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Jay Sengupta, J.)