

D/L51
09.01.2023
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C.R.R.2143 of 2021

In Re: An application under Section 401 read with Section 482 of the
Code of Criminal Procedure;

Smt. Ankita Banerjee
Versus
State of West Bengal and another

Mr. Jayanta Narayan Chatterjee,
Mr. Somopriyo Chowdhury,
Mr. A. Chowdhury.
...for the petitioner.

Mr. Anwar Hossain,
Ms. Debjani Sahu.
...for the State.

Mr. Chatterjee, learned advocate, appears on behalf of the petitioner and is aggrieved by the conduct of the investigation and the Investigating Officer. Unnecessarily, there is reluctance as has been submitted on behalf of the petitioner.

Ms. Sahu, learned advocate appearing for the State has earlier filed report before this Court and the report reflects that the complainant was willing to go back to her husband and also intend to withdraw the case against the in-laws.

Mr. Chatterjee disputes such contention which has been averred in the report. Learned advocate has also drawn the attention of the Court to the order which has been dealt with by the learned court on the prayer of the Investigating Officer to transfer the case to a different jurisdiction.

Prima facie, there has been a delay in the investigation. Having considered the same, I am of the opinion that let the

investigation of Bhadreswar Police Station Case No.141 of 2021 under Sections 498A/406 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act be transferred to the Officer-in-Charge/Inspector-in-Charge of Chinsurah Women Police Station. The Inspector-in-Charge or the Officer-in-Charge of Chinsurah Women Police Station will depute an Officer of her choice who would diligently carry out the investigation and arrive at her findings under Section 173 of the Code of Criminal Procedure, keeping in mind that there has been a delay in the investigation of the case.

With the aforesaid observations, CRR 2143 of 2021 is disposed of.

Pending application, if any, is consequently disposed of.

Ms. Sahu, learned advocate appearing for the State is directed to inform the Inspector-in-Charge of Bhadreswar Police Station as well as the Inspector-in-Charge/Officer-in-Charge of Chinsurah Women Police Station.

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

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

(Tirthankar Ghosh, J.)