

20.02.2023
Court No.13
Item No.13
AP

WPA 17570 of 2022
With
IA NO: CAN 1 of 2022
Nilima Das
Vs.
The State of West Bengal and Ors.

Mr. Aditya Sen

... For the petitioner.

Officer-in-Charge, Digha Police Station, Purba Medinipur has filed a report dated 15th February, 2022 and the same is taken on record.

It appears from the report that only one accused namely Swapan Dutta has been arrested. He has been enlarged on bail on 19th January, 2023 by the learned A.D. & S.J., 1st Court at Contai. The other accused persons i.e. private respondent No.10 Ajay Kumar Mondal, private respondent No.11 Mahadeb Singh, private respondent No.13 Mangal Maiti and private respondent No.14 Budhadeb Patra are still at large.

Digha Police submits that several raids have been conducted to apprehend the accused persons but in vain.

The police should have applied for warrant of arrest before the concerned Court by now. Let such warrant of arrest be applied immediately.

The petitioner further complains that she is now being threatened by the absconding accused persons using different mobile numbers.

All details of the said threat shall be communicated in writing to the investigating officer of the Digha Police. The

Superintendent of Police, Paschim Medinipur shall review the threat perception to the petitioner and thereafter immediately provide security against any misadventure by the private respondents.

Sabang Police shall maintain regular vigil over the petitioner's premises and immediately address any of her security concerns. It is expected that the absconding accused persons are apprehended as early as possible.

All efforts shall be made by the Digha Police to apprehend the absconding accused persons into custody and participate in the criminal proceedings.

Steps for proclamation and attachment should be taken immediately if the warrant of arrest is not executed for more than a period of ten days from date.

The statement of the petitioner under Section 164 of the CrPC shall be recorded afresh by the Investigating Officer. The earlier statement shall stand deleted from the records of the Case Diary.

With the aforesaid directions, the writ petition shall stand disposed of.

In view of the disposal of the main writ petition, connected applications, if any, shall also stand disposed of.

There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)