

274 22.09.2023
NB Ct. 14

WPA 18323 of 2023

Somnath Das
Vs.
The State of West Bengal & Ors.

Mr. Atarup Banerjee,
Mr. Arindam Sen,
Mr. Saurav Basu,
Mr. Rajdeep Pramanik.
...for the petitioner.

Mr. Somnath Ganguli Id. AGP,
Ms. Priyamvada Singh.
...for the State.

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

Perused the case diary.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the father of the victim deceased. The victim's body was recovered from Barrackpore near the bank of the river Ganges. A postmortem examination was conducted. But, no copy of the same was made over to the petitioner. The inaction on the part of the police prompted the petitioner to move this application. However, by the time the matter was heard, a copy of the same had been supplied. On 21.04.2023, this Court directed the investigating agency to conclude the investigation expeditiously and after receiving CFSL report regarding the mobile phone of the deceased found on the dead body. However, the same has not been collected. The police has not filed a charge sheet or arrested any accused. Subsequently, it has been learnt that the acquaintance of the victim namely, Sneha Mondal had sent a

WhatsApp chat between the two for a period after the victim had gone missing. Her statement needs to be recorded.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. The viscera report is available, which rules out poisoning. The CFSL report has already been obtained regarding the mobile phone. No suspicious call has been found sent. The said Sneha Mondal has cooperated with the investigation and has given a list of her entire chat available as of now with the victim. She has also been examined under Section 161 of the Code. Investigation is at a final stage and a report would be filed soon.

Let the Investigating Officer conclude the investigation expeditiously and in accordance with law.

No further order need be passed in this case.

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

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)