

03-05-2023
ct no. 13
sl. 351
pk

WPA 22739 of 2022

Rajib Kumar Ray

-Versus-

State of West Bengal & Ors.

Mr. Kaushik Choudhury,
Ms. B. Khatun

...for the petitioner

Mr. Subhabrata Datta,
Mr. Banibrata Datta

...for the State.

1. The writ petitioner complains of alleged inaction on the part of the Hemtabad Police Station in respect of a complaint against the private respondent/wife, who is stated to have contracted a second marriage during the subsistence of the first one.
2. Admittedly, there are civil proceedings pending under Section 13 of the Hindu Marriage Act between the petitioner and the private respondent.
3. On the petitioner's complaint, the learned CJM, Raiganj has ordered investigation.
4. Hemtabad Police Station has submitted an enquiry report to the CJM, Raiganj and the matter is pending consideration.
5. The Magistrate may take steps in accordance with law on the basis of the enquiry report of the Hemtabad Police Station.

6. Let a copy of the report of the Hemtabad Police Station be given to the counsel for the petitioner.
7. This Court therefore finds no inaction on the part of the police.
8. The police strictly shall abide by any order that may be passed by the CJM concerned.
9. The writ petition is disposed of.
10. There will be order as to costs.
11. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)