

31 22.11.2023  
NB Ct. 14

**WPA 22507 of 2023**

Aktar Mallick  
Vs.  
The State of West Bengal & Ors.

Mr. Soumik Ganguli,  
Ms. Chandana Chakraborty.  
...for the petitioner.

Mr. Pritam Choudhury,  
Mr. Kaustav Chatterjee.  
...for the State.

Affidavit of service filed on behalf of the petitioner is taken on record.

Despite service, no one appears on behalf of the private respondents.

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

Learned counsel appearing on behalf of the petitioner submits as follows. On 06.04.2023, the petitioner's nephew died in the house of his father-in-law. It was a case of hanging. Immediately a case was started under Section 302 of the Penal Code. However, the investigation is not going on properly. The accused are roaming freely and are even threatening the petitioner to withdraw the case.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. Allegation of police inaction is strongly denied. The police have taken steps to unearth the truth. The postmortem doctor's opinion is quite significant. Witnesses have been examined and call records of

connected individuals have also been collected. However, it does not appear that there is anything available about possible raids conducted for apprehending the accused.

Although the investigation appears to have been carried on in regular manner, it is quite surprising that the report does not throw any light about the steps taken by the Investigating Officer to apprehend the accused.

Let the investigation be concluded expeditiously and in accordance with law.

In the event the petitioner makes a prayer for police protection, the same shall be decided by the concerned authorities in accordance with law.

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

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

**(Jay Sengupta, J.)**