

17-04-2023

ct no. 13

sl. 20

sp

WPA 26042 of 2022

Nilufa Bewa

-Versus-

The State of West Bengal & Ors.

Mr. Robiul Islam,
Mr. Raju Mondal

...for the petitioner

Mr. Susovan Sengupta,
Mr. Subir Pal

...for the State

Md. Gulam Nure Imrohi,
Mr. Susnigdhoo Bhattacharyya

...for the private respondent

1. The petitioner is aggrieved by the investigation into charge sheet being Domkal Police Station Charge Sheet No. 744 dated 30.11.2022 under Section 354 of the IPC by the Domkal Police Station, Murshidabad PD.

2. It appears that the investigation has been conducted and final report being Domkal Police Station Charge Sheet No. 858 dated 21.12.2022 under Sections 341/323/354 of the IPC has been filed. Prior thereto, on October 15, 2022 another FIR being Domkal Police Station Case No. 659/22 dated 15.10.2022 under Section 354 of the IPC and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 has been registered. Investigation is also completed into the said FIR and charge sheet being Domkal Police Station Charge Sheet No. 744 dated 30.11.2022 under Sections 354 of the IPC and Sections 8 and 12 of the POCSO Act has been filed.

3. Counsel for the petitioner submits that his client's statement under Section 161 of the Cr. P.C. has not been recorded.

4. The petitioner may approach the Court below and obtain copies of the charge sheets and take appropriate steps as available under the law, if so advised.

5. It is expected that the charge sheets are put to committal as expeditiously as possible.

6. With the aforesaid observations, the instant writ petition shall stand disposed of.

7. The report of the Domkal Police Station, Murshidabad PD dated 16.04.2023 be kept with the record.

8. Copy of such report has been made available to the counsel for the petitioner.

9. There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)