

19.01.2023.
Court No.13
Item No. 7
ap

W.P.A. No. 26797 of 2022

**Khairun
Versus
The State of West Bengal & Ors.**

Mr. Koustav Bagchi,
Mr. Debayan Ghosh,
Ms. Priti Kar.

...For the petitioner.

Md. Sarwar Jahan,
Mr. Amanul Islam.

...For the respondent no.11.

Affidavit-of-service filed in Court today be taken
on record.

The petitioner's husband was murdered and FIR
had been registered under Sections 302/34 of the
Indian Penal Code being Harishchandrapur Police
Station Case No. 180 of 2022. The investigation is on.
One of the accused persons has been arrested and is
in custody.

It is submitted that warrant of arrest has been
taken out against the other accused persons and an
order of proclamation and attachment has also been
obtained. It is further submitted that charge-sheet has
been filed in this case.

Inspector-in-charge, Harishchandrapur Police
Station, District – Malda shall continue to make efforts
to trace out the other accused persons.

The charge-sheet shall be put to committal
immediately. The petitioner has filed further
complaints on 7th November, 2022 and 18th November,

2022 that he is being threatened and intimidated by the accused persons.

It is surprising that no FIR has been registered despite cognizable offence under Section 195 of the Code of Criminal Procedure. FIR shall be registered forthwith in respect of the said complaints and due protection shall be ensured to the petitioner.

The respondent no.11 is represented before this Court today by Mr. Sarwar Jahan.

Counsel for the respondent no.11 submits that his client returned from Kerala to West Bengal in November, 2022 and he is staying at his residence with prior intimation to the police.

The Inspector-in-charge, Harishchandrapur Police Station shall post a police picket of two Constables outside the petitioner's residence for a period of two weeks from date.

The report of the Inspector-in-charge, Harishchandrapur Police Station is kept with the record.

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

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

