

16 18.12.2023
NB Ct. 14

WPA 27717 of 2023

XXX

Vs.

The State of West Bengal & Ors.

Mr. Koushik Roy.

...for the petitioner .

Mr. Somnath Ganguli Id. AGP.,

Ms. Priyamvada Singh.

....for the State.

Mr. Niladri Sekhar Ghosh,

Ms. Sompurna Chatterjee,

Mr. Sourov Mondal.

..for the respondent nos.7&8.

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

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

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioner and the private respondent no.7 while working in the same organisation developed a relationship. The respondent told that he was unmarried. The two spend some time together even in a few hotels. On the promise of marriage, a physical relationship was entered into. Later on the petitioner learnt that the respondent no.7 was married with a child. After lodging an FIR, the Investigating Agency has not been carrying out the investigation. Instead, a proposal is being made to settle the matter.

Learned counsel appearing on behalf of the respondent nos.7 and 8 submits as follows. The allegations made in the writ petition are denied. As would be evident from a plain reading of

the First Information Report, this is a case of a relationship between two consenting adults turning sour. An application for anticipatory bail of the respondent no.7 is pending before the Sessions Court.

Learned counsel appearing on behalf of the State files a report and submits as follows. Necessary steps have been taken while investigating the case. Medical examination of the victim was done. A statement of the victim was also recorded under Section 164 of the Code of Criminal Procedure. However the accused has not been arrested yet. The Investigating Agency shall soon conclude the investigation.

It appears, that some steps have been taken during investigation of the Case.

Let the Investigating Agency conclude the investigation into the alleged offences expeditiously and in accordance with law.

No further order need be passed in this regard.

With these observations, the writ petition is disposed of.

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

(Jay Sengupta, J.)