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31.07.2023
Ct. No.2
b.das

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction

WPA No. 1552 of 2023

Ranjana Majumdar
Vs.
The State of W.B. & Ors.

Mr. Kunaljit Bhattacharya
Mr. Haider Ali
Mr. S. Sarkar ...for the petitioner.

Mr. Subir Kr. Saha
Mr. Pretom Das ..for the State.

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

The grievance of the petitioner is that her minor daughter aged about 15 years was sexually assaulted by one Pratap Sarkar for which the petitioner lodged a complaint before the police on 7th May, 2023.

Since then the accused person has been threatening the petitioner and his family with dire consequences.

The petitioner submitted a further application before the Superintendent of Police, Jalpaiguri on 15th May, 2023 but no steps have been taken by the authority pursuant to the same.

The petitioner seeks necessary direction upon the authority to take necessary steps in terms of the complaint lodged by the petitioner.

Placing reliance on a report submitted by the Inspector-in-Charge, Maynaguri P.S., Jalpaiguri learned counsel for the respondents submits that pursuant to the complaint of the petitioner, a specific case being Maynaguri P.S. Case No.166 of 2023 under Section 4 of the POCSO Act read with Section 376 (3) of the Indian Penal Code was registered and the matter is under investigation.

Several raids have been conducted in the house as well as the surrounding of the accused but the accused was found absconding.

In view of the above, this Court is inclined to hold that since steps have been taken by the police authority pursuant to complaints lodged by the petitioner, nothing further remains to be adjudicated in the present writ petition.

Accordingly, the writ petition being WPA 1552 of 2023 is disposed of.

However, there shall be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)