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01.5.2024
Ct. No. 14
SB

W.P.A. 12277 of 2024

Madhumita Ghosh
Vs.
The State of West Bengal & Ors.

Mr. Sourav Mondal
Mr. Abhirup Halder
Mr. Rony Mondal ... for the petitioner

Mr. Amitesh Banerjee, Ld. Sr. St. Counsel
Mr. Suman Sengupta, Sr. Govt. Adv.
Ms Amrita Panja Moulick
... for the State

Affidavit of service is taken on record.

It does not appear that the private respondents could be served with notice.

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

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the owner of the property in question, which she received by a gift deed. After coming to know that the petitioner's other brothers and sister had gone to the said house and broken open the padlock there, she rushed to the house and found them there. It appeared that they had forcibly kept that dead body of the petitioner's father inside the house. After this the petitioner approached the police, even to the Commissioner. But, no F.I.R. was registered on her complaint.

Learned senior standing counsel appearing on behalf of the State relies on the report and submits as follows. Initially, a U.D. case was registered and a post mortem examination was done. After receiving the complaint of the petitioner, a specific

F.I.R. being Kasba P.S. Case No. 153 dated 29.4.2024 was registered under Sections 448,323,302 and 34 of the Indian Penal Code against the respondent nos. 6,7,8,9 & 10. Investigation is going on.

It appears that the investigation is at the nascent stage. The prime grievance of the petitioner that no F.I.R. was registered on her complaint has already been redressed.

In the peculiar facts of the instant case, let the investigation of the case proceed under the supervision of the Deputy Commissioner of Police, South Suburban Division.

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

A copy of the post mortem report shall be handed over to the learned advocate-on-record of the petitioner within a week.

With these observations, the writ petition is disposed of.

Urgent Photostat certified copy of this order, if applied for, be given to the parties, upon competition of requisite formalities.

(Jay Sengupta, J.)