

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 13823 of 2024

**Lisa Mondal
-versus
The State of West Bengal & Ors.**

**Mr. Amit Ranjan Pati.
Ms. Swastika Chowdhury.
...For the Petitioner.**

**Mr. Suman Sengupta. Sr. Govt. Advocate.
Mr. Dwaipayan Basu Mallick.
Mr. Sanatan Panja.
...For the State.**

The petitioner is aggrieved by the manner in which the police is proceeding with the investigation of the FIR No. 191 of 2024 dated 25th April, 2024.

The petitioner submits that the witnesses of the subject case are being threatened. Information was provided to the police but no steps have been taken to protect the petitioner as well as the witnesses.

The petitioner also alleges that inappropriate Sections have been incorporated in the FIR. Section 307 of the IPC has not been invoked.

Further grievance of the petitioner is that the statements of the injured persons have not been recorded. The medical reports in support of such injury have not been seized.

Prayer has been made to provide protection to the petitioner and all the other vulnerable witnesses and to incorporate Section 307 in the FIR.

Learned advocate representing the State respondents relies upon the instruction forwarded by

the Officer-in-Charge, Khanakul Police Station signed on 22nd May, 2024.

It appears there from that the investigation is in progress. Statements under Section 161 and 164 of the Cr. P.C. of the witnesses have been recorded. Notice under Section 91 of the Cr.P.C. was issued to the complainant for production of relevant documents in support of the complaint but the complainant did not produce any document to that effect. Notice under Section 160 Cr.P.C. has not been complied with. The accused persons could not be arrested because they are absconding.

Upon hearing the parties and upon perusal of the documents placed before this Court, the instant writ petition is disposed of by directing the police to continue the investigation in accordance with law by invoking the proper section(s) and conclude the same at the earliest. The petitioner is directed to cooperative with the police for the sake of investigation.

The petitioner has already lodged complaint before the police regarding threat of the witness. The police are directed to take strict action in response to the said complaint.

The petitioner will be entitled to approach the learned Trial Court where the case is presently proceeding for further relief.

Report of the Officer-in-Charge, Khanakul Police Station dated 22.05.2024 is kept with the records.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)