

**23.09.2024**  
**Sl. No. 55**  
**g.b.**  
**Court No.07**

**W.P.A. 20921 of 2024**

*Arpita Bairagya*  
**-Vs-**  
*The State of W. B. & Ors.*

*Mr. Jagriti Bhattacharya*  
*.....For the Petitioner*  
*Mr. Rajarshi Basu*  
*Mr. Ananda Dulal Sarkar*  
*.....For the State*  
*Mr. Abhishek Gupta*  
*Miss I. Roy*  
*....For the Respondent Nos. 5 and 6*

Affidavit of service filed in court today is taken on record.

The petitioner alleges that no steps have been taken by the police authorities pursuant to the complaint lodged by the petitioner vide letter dated 26<sup>th</sup> of July, 2024.

The learned advocate appearing for the State files a report of the Officer-in-charge, Memari Police Station dated 11<sup>th</sup> September, 2024.

After going through the said report, this court finds that pursuant to the complaint lodged by the petitioner Memari Police Station case no. 702 of 2024 dated 22.08.2024 under Section 318(4)/316(2) BNS has been registered. It has been further stated in the said report that notice under Section 35 BNSS has been issued to the FIR named accused persons but they did not appear before the Investigating Officer to face investigation. Thereafter another notice under Section 35 BNSS was issued on 29<sup>th</sup> September, 2024 directing the FIR named accused persons to appear before the Investigating Officer.

The learned advocate for the private respondents submits that pursuant to the notice the FIR named

accused persons appeared before the concerned Investigating Officer.

In the event, the FIR named accused persons did not comply with the notices under Section 35 BNSS, it would be open to the Investigating Officer to take appropriate steps as per the relevant statute.

The report further states that the notice under Section 94 BNSS was issued to the complainant to produce documents in respect of stolen gold ornaments, silver ornaments etc. but she failed to produce any document and in this regard, she gave a written declaration also.

It appears that police has taken some steps pursuant to the registration of the FIR.

In view thereof, the writ petition stands disposed of by directing the concerned Investigating Officer to conclude the investigation expeditiously and to take all consequential steps thereupon.

The writ petition is disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties after completion of all necessary formalities.

***(Hiranmay Bhattacharyya, J.)***