

D/L.42.
September 26, 2024.
MNS.

WPA No. 21857 of 2024

Bibekananda Roy
Vs.
The State of West Bengal and others

Mr. Siddhartha Sarkar,
Mr. Akash Ghosh

... for the petitioner.

Mr. Suman Ghosh,
Mr. Siddhartha Ghosh

...for the State.

The petitioner alleges that no action has been taken by the Superintendent of Police, Barasat Police District, on the basis of the complaint lodged by the petitioner by a letter, which was received by the Office of the Superintendent of Police on July 29, 2024.

Affidavit-of-service filed in Court today is taken on record.

The learned Advocate appearing for the petitioner submits that the respondents have been duly served. In spite of service, none appears for the respondents.

Mr. Ghosh, learned Advocate, who usually appears for the State is present in Court today and is requested to appear in this matter. Let the appointment of Mr. Ghosh along with a junior of his choice be regularized by the Legal Remembrancer.

The learned Advocate for the petitioner is directed to serve a copy of the writ petition upon Mr. Ghosh in course of this day.

Since a complaint has been lodged with the police authorities, it is their duty to take steps on the basis of the said complaint. It will be open to the Superintendent of Police either to take decision on the complaint received by his office on July 29, 2024, by himself or forward the same to the appropriate authority.

The appropriate authority of the police shall after considering the said complaint take a decision in accordance with law. If the complaint discloses a cognizable offence, such authority shall register the First Information Report forthwith, if not already registered.

In the event the authority decides against registration of FIR, the reasons are to be communicated to the petitioner within a period of two weeks from the receipt of a server copy of this order.

With the aforesaid observations and directions, the writ petition stands disposed of.

There will be no order as to costs.

Photostat certified copy of this order, if applied for, be given to the parties.

(Hiranmay Bhattacharyya, J.)