

Sl.No.
5 12.11.2024
Court
No. 35
G.S.Das

WPA 24330 of 2024

XXX
-Vs-
The State of West Bengal & Ors.

Mr. Bikash Ranjan Bhattacharya
Mr. Kallol Kumar Basu
Mr. Anindya Sundar Das
Mr. Jannat ul Firdous
Mr. Suva Gayen
Mr. Kuheli Gayen

... for the Petitioner
Mr. Amitesh Banerjee, Id. Sr. St. Counsel
Mr. Akash Dutta

...for the State-respondent

Mr. Palash Ch. Podder
... for the respondent no. 10

Mr. Muktswar Maity
Ms. Nupur Chaudhuri
... for the respondent nos. 7&8

Mr. Soumen Kr. Dutta
Mr. Subham Dutta
... for the respondent no.9

Report submitted on behalf of the
State be kept with the record.

The petitioner has preferred the
present writ petition being aggrieved by
the act and actions of the Investigating

Agency, as they complain that a particular person has been purposefully left out by the investigating agency.

To that effect, State submits that no clue of evidence surfaced against the said person against whom the mother of the victim girl has approached this court.

A representation has been made to the District Magistrate. However, a representation made to the District Magistrate may not be communicated to the Investigating Officer of the case for addressing the grievance.

Having considered the issue which has raised dissatisfaction in the mind of the complainant, I grant liberty to the complainant to approach the learned Civil Court with a prayer for further investigation under the relevant provisions of Section 173(8) of the cr.p.c. or Section

193(9) of the BNSS.

Needless to state that such application will specify the details regarding the person and the issue relating to grievance, particularly, the complainant's dissatisfaction for non-performance by the investigating agency.

If such an application is filed before the learned Special Court, the learned Special Court will dispose of such application within a period of 45 days of filing of the same.

With the aforesaid observations, WPA 24330 of 2024 is disposed of.

Report so submitted by the State be kept with the record. Let a copy of the report be handed over to the learned advocate appearing for the petitioner.

Parties to act on a server copy of this order duly collected from the

official website of the Hon'ble High Court,
Calcutta.

(Tirthankar Ghosh, J.)