

06.11.2024
Item No.79
Ct. No.35
dc.

W.P.A. 24490 of 2024

**Smt Punam Das @ Sriwastava
versus
The State of West Bengal & Ors.**

Mr. Partha Pratim Das,
Mr. Dev Kumar Sharma,
Mr. Monojit Chakraborti ... For the Petitioner.

Mr. Wasim Ahmed,
Sk. Md. Masud ... For the State.

Affidavit-of-service filed in Court today be kept with the record.

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

Mr. Das, learned advocate appearing for the petitioner is aggrieved by the manner in which the police authorities are progressing in respect of Liluah Police Station Case No. 476/2022 dated 15.09.2022.

A report has been submitted by the State which reflects that the investigating agency on completion of investigation, submitted charge-sheet in connection with the aforesaid case under Sections 498A/506/34 of the Indian Penal Code.

The grievance of the petitioner is that charges under Section 313 of the Indian Penal Code have been dropped by the investigating agency, although there are materials to support such contentions.

In view of the charge-sheet having been submitted before the learned Chief Judicial Magistrate, Howrah and the next date, as is reflected from the report, is fixed on 12.11.2024, the petitioner is granted liberty to prefer an application in the nature of Section 173(8) of the Code of Criminal Procedure or under Section 193(9) of the BNSS, 2023. The learned Chief Judicial Magistrate, Howrah on receipt of such application would take efforts so that the same is disposed of within a period of sixty days from the date of filing of the said application.

With the aforesaid observations, the writ petition being WPA 24490 of 2024 is disposed of.

Pending connected application, if any, is consequently disposed of.

There shall be no order as to costs.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)