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08.03.2024
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Ct 14

WPA 24290 of 2023

Basudeb Sarkar
-vs-
The State of West Bengal & ors.

Mr. Sandipan Maity
...for the petitioner
Mr. Suman Sengupta
Ms. Amrita Panja Mallick
Mr. Sanatan Panja
...for the State

Report filed by the State along with a copy of the statement of the victim recorded under Section 164 of the Code and a copy of the order dated 01.02.2024 passed by a Division Bench of this Court in CRM (A) 5291 of 2023 are taken on record.

It appears that the victim appeared before the concerned Magistrate and had a statement under Section 164 of the Code of Criminal Procedure recorded. She claimed to be an adult and gave a statement exonerating the accused private respondent. In fact, in the said statement, she categorically stated that the petitioner being the father of the alleged victim had lodged a false case against the accused.

In view of the above, there is no merit in this application.

Accordingly, the same is dismissed.

However, there shall be no order as to costs..

Urgent photostat certified copy of this order be

supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)