

May 3, 2024
AD 19
Ct. No.14
SG

WPA 26751 of 2023

Vivek Vikram Singh
vs.
The State of West Bengal and others

Mr. Soumyajit Das Mahapatra
Mr. Abhishek Mukherjee
Ms. Madhurai Sinha
... for the petitioner

Mr. Wasim Ahmed
Mr. Md. Shehabuddin
... for the State

Report filed by the State is taken on record.

Learned counsel for the petitioner submits as follows. The petitioner is the de facto complainant of the case being Bidhannagar South PS Case No.270 dated 12.10.2023 under Sections 387/506/120B IPC. Although the FIR was lodged long ago, no charge-sheet has been submitted as yet. There is hardly any step taken during investigation. The anticipatory bail prayer of Sabatullah Khan was rejected by this Court. Yet, he has not been arrested. No statement of the victim has been recorded under Section 164 of the Code.

Learned counsel for the State relies on the report and submits as follows. A warrant of arrest has finally been issued against the accused Sabatullah Khan whose anticipatory bail was turned down by this Court. Notices have been sent to the other accused. The Investigation is going on.

It is unfortunate that even rejection of anticipatory bail prayer by this Court, the investigating officer states in his report that he tried to serve notice under Section 41A of the Code against the accused. However, fortunately thereafter he held raid to apprehend the accused and then submitted a prayer for issuing warrant of arrest before the learned Magistrate.

The investigation of the case shall be carried out by the investigating officer under direct supervision of the Deputy Commissioner of Police. If the statement of the victim has not been recorded under Section 164 of the Code, the same be done at the earliest.

Let the investigation be concluded expeditiously and in accordance with law.

With these observations, the writ petition is disposed of.

Parties shall act on a server copy of this order duly downloaded from the official website of this Court.

[Jay Sengupta, J.]