

December 12, 2024
Sl. No. 16
Court No.35
s.biswas

WPA 29046 of 2024

Alpana Manna
vs.
The State of West Bengal and others

Mr. Siddhartha Sarkar
... for the petitioner
Mr. Somanath Ganguly, AGP
Ms. Tithi Paul
... for the State

Affidavit of service so filed, be kept with the record.

Learned advocate for the petitioner submits that on his complaint Sinthi P.S. Case No.80 of 2024 dated 14.10.2024 was registered for investigation. At the time of furnishing information the petitioner instituted the case against unknown miscreants. Subsequently, on perusal of the CCTV footage, he came to know about the miscreants whose names were furnished before the investigating authorities. However, in spite of the same, the police authorities have not taken any effective steps yet.

Learned advocate for the State has submitted report of the Officer-in-Charge, Sinthi Police Station, which reflects that charge-sheet has been submitted in connection with Sinthi PS Case No.60 of 2024 dated 03.12.2024. Learned advocate submits that in the statement made by the complainant subsequently two names were furnished. Accordingly, two persons who are involved have been implicated in the present case.

So far as the petitioner is concerned, the petitioner submits that there are number of persons who were involved. Be that as it may, as the charge-sheet has been submitted before the jurisdictional court being the ACJM, Sealdah only on 3rd December, 2024, petitioner would be at liberty to take out an application under Section 193(9) of the BNSS, ventilating his grievance with regard to the deficiencies in the investigation. Learned jurisdictional magistrate will take into account the accusations so made in respect of any prayer for further investigation and decide the same in accordance with law preferably within a period of 45 days of preferring any such application.

With the aforesaid observation, WPA 29046 of 2024 is disposed of.

The report submitted be kept with the record. Copy of the report be handed over to the learned advocate for the petitioner.

All the parties shall act on the basis of the server copy of the order.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Tirthankar Ghosh, J.)