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17.05.2024
Ct. 3
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**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction
Appellate Side**

WPA 1004 of 2024

**Rejaul Islam
Versus
The State of West Bengal and Ors.**

Mr. Jaydeep Kanta Bhowmik, Adv.
Ms. Debi Sarkar, Adv.
Mr. Sayantan Bhowmik, Adv.
Ms. Ritika Sarkar, Adv.

... for the petitioner

Ms. Bedashruti Bose, Adv.
Mr. Anirban Banerjee, Adv.

... for the State

Mr. Jaydeep Kanta Bhowmik, learned counsel, is appearing for the petitioner. Ms. Bedashruti Bose, learned counsel, is appearing for the State.

The grievance of the petitioner is that the petitioner has made a complaint to the Superintendent of Police, Cooch Behar District on 6th May, 2024 which was received vide PG Cell R. No. 350/2024 but in spite of receipt of the said complaint the police has not taken any action and as such the petitioner has filed the present application.

Learned counsel for the State has submitted a report filed by the Officer in Charge, Pundibari P.S., Cooch Behar wherein it reveals that on receipt of the complaint, an enquiry was conducted and thereafter

a prayer was made before the learned Magistrate, Cooch Behar praying for an order of enquiry for the offence under Section 506 of the IPC and accordingly, a Non FIR has been chalked out and the case is under investigation.

Learned counsel for the petitioner raised objection and submitted that the police has initiated a Non FIR but the allegation in the complaint is otherwise.

Considered the submission made by the counsel for the respective parties. Perused the complaint filed by the petitioner dated 6th May, 2024 and the report submitted by the State.

This Court finds that the police has already taken appropriate steps on the complaint made by the petitioner. The police has not yet filed the report before the Court as still the enquiry is going on and as such, this Court finds that no purpose would be served by keeping the writ petition pending as the police has already initiated an enquiry.

Accordingly, WPA/1004/2024 is disposed of.

The petitioner is at liberty to take appropriate steps if the petitioner is aggrieved with the report, if any, filed by the police authority after completion of the enquiry.

(Krishna Rao, J.)