

12.02.2025
Court No. 35

Item No.15
Rakib

W.P.A. 4884 of 2024

Mayarani Mondal.
VS
The State of West Bengal & Ors.

Mr. Romit Dutta,
Ms. Sanjukta Samanta.
... for the Petitioner.
Ms. Rupsha Chakraborty.
... for the State.

Affidavit-of-service filed by the petitioner be kept with the record.

Petitioner is aggrieved by the fact that in spite of a case being registered pursuant to the writ petition having been filed police authorities did not properly investigate the case. It has been submitted that already charge-sheet has been submitted before the jurisdictional Court concerned and the learned Magistrate in siesin of the case is reluctant to accept the prayer under Section 173(8) of Cr.P.C. or Section 193(9) of BNSS.

In view of the alternative remedy available to the petitioner, petitioner would be at liberty to prefer an application either under Section 173(8) of the Cr.P.C. or under Section 193(9) of the BNSS. Learned Magistrate would consider the contents of the same and after assessing regarding the grievance of the

petitioner take a decision whether a case for further investigation have been made out or not.

If the petitioner is so advised and file an application as directed above, learned Magistrate will put in efforts so that the same is disposed of in accordance with law within a period of 60 days from the date of the filing of the application.

As none appears on behalf of the State Ms. Rupsha Chakraborty, learned advocate who ordinarily appears for the State is directed to appear. Her appointment may be regularized by the concerned authorities.

With the aforesaid observations WPA 4884 of 2024 is disposed of.

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.)