

D/L 125
26.03.2025
Bpg.
ct.no.35

W.P.A.16143 of 2024

**Safiya Khan
Versus
The State of West Bengal & Ors.**

Mr. Dilip Kr. Shyamal
Mr. Gourab Ghosal.
...for the petitioner.

Mr. Suman Sengupta
Mr. Sambuddha Datta
Mr. Sanatan Panja.
...for the State-respondents.

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

Petitioner approached this Court being
dissatisfied with the progress of Sonarpur G.R.P.S.
Case No.09 of 2024 which was registered for
investigation under Sections 302/379/120B/34 of
the Indian Penal Code. Petitioner is an unfortunate
mother of the deceased son who has approached this
Court for proper, fair and impartial investigation.
Subsequent to the earlier orders passed by this
Court, Mr. Sengupta, learned advocate appearing for
the State has produced the case diary. A report has
also been submitted.

I have perused the case diary particularly
with regard to the statement of the loco pilot who was

proceeding with Down Sealdah Canning Local Train 34550.

Having considered the statement under Section 164 of the Code of Criminal Procedure of the said loco pilot, I am of the view that at this stage the petitioner and the near relations being 5 to 6 in number would approach the investigating officer of the case whose statement would be recorded, the investigating officer of the case will work out on the apprehension and suspicion of the maker of those statements and thereafter arrive at his final opinion in accordance with law.

With the aforesaid observations, WPA 16143 of 2024 is disposed of.

There will be no order as to costs.

Case diary be returned to the learned advocate appearing for the State.

Report so submitted be kept with the record.

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

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)