

**05.08.2025**  
Item No.16  
Ct. No.35  
dc.

**W.P.A. 16615 of 2025**

**XXXX**  
**versus**  
**The State of West Bengal & Ors.**

Mr. Bibek Chatterjee,  
Ms. Paramita Sahu,  
Ms. Susmita Saha                      ... For the Petitioner.

Ms. Rupsha Chakraborty,  
Mr. Shibasish Banerjee              ... For the State.

Reports dated 04.08.2025 and 05.08.2025 submitted by the learned advocate appearing for the State be kept with the record. A copy of the report be handed over to the learned advocate appearing for the petitioner.

Petitioner has approached this Court with prayers for compliance of the order passed by the learned Executive Magistrate in M.P. Case No. 560 of 2024 as also for consideration of the representations dated 17.10.2024, 24.10.2024, 02.02.2025 and 10.02.2025. Additionally, it has been prayed that the order dated 08.04.2020 be recalled and for expediting the trial of S.T. 9(9) of 2022 pending before learned Additional Sessions Judge, 3<sup>rd</sup> Court, Barrackpore.

So far as the order dated 08.04.2020 is concerned, the same relates to bail which was granted to the accused in CRM No. 145 of 2020. A specific provision is available under the Criminal Procedure Code for cancellation of bail. As such

interference under Article 226 of the Constitution of India is unwarranted.

So far as the other issues are concerned, State has submitted two reports. The first report dated 04.08.2025 reflects that Ghola P.S. Case No. 420 of 2019 was registered for investigation on 09.10.2019 under Section 376 of the Indian Penal Code and on conclusion of investigation, charge-sheet was submitted. There is another report submitted by Officer-in-Charge, Mohanpur Police Station which reflects that the police authorities conducted enquiry, but were not satisfied so far as the M.P. Case No. 560 of 2024 is concerned. The next date has been fixed on 12.09.2025 for submission of report.

In view of the aforesaid, police authorities are directed to submit their report before the learned Executive Magistrate on 12.09.2025.

So far as other issues are concerned, petitioner, if she is aggrieved, would apply before the learned Additional Sessions Judge, 3<sup>rd</sup> Court, Barrackpore in seisin of S.T. 9(9) of 2022.

With the aforesaid observations, the writ petition being WPA 16615 of 2025 is disposed of.

Pending connected application, if any, is consequently disposed of.

There will be no order as to costs.

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.)**